

THE ORGANIZATION OF THE  
GOVERNMENT OF UTTAR PRADESH



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THE ORGANIZATION OF THE  
GOVERNMENT OF UTTAR PRADESH

A STUDY OF STATE ADMINISTRATION



M. ZAHEER  
and  
JAGDEO GUPTA

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## FOREWORD

Regional administration in India provides an important field of study; but most of the studies in public administration seem to concentrate on the central organisations or some of their aspects. As a result, administration at the State level has not received the attention it deserved. Administration in the States of India is autonomous, with considerably large geographical areas and population over which it operates. The present book on the administration of Uttar Pradesh is, therefore, to be welcomed. It describes in detail not only the administrative machinery of the State at it is to-day but also gives a historical survey of administrative developments from the days of the East India Company. Information on departments and sections of the State Government of U.P. is available here, irrespective of their size. The book, it is expected, will fulfil a long felt need and prove useful to students of public administration, serve as a source book of information to governmental organisations and will interest those who are otherwise connected with the working of governments.

While dealing with a complex organisation, sometimes, one aspect of it or the other receives greater emphasis or attention. By and large the authors have succeeded in avoiding this, and have tried to give a comprehensive and coherent treatment to the subject. To the extent to which they have also succeeded in avoiding jargon the book has a greater appeal to the layman. The authors have refrained from the stereotyped way of naming the chapters after the administrative units, and they have classified governmental activities and functions under captions like Economic Development and Conservation of Resources, Provision of Social and Public Utility Services. A comprehensive Survey of Divisional and District Administration has also been made. Attention paid to classification of functions, deployment of functionaries at the headquarters, regions and smaller territorial units of administration at the lower levels, extent of association of members of legislatures, officials and other non-officials with departmental advisory committees, are some of the special features of the book. Besides, the statutes and the rules (delegated legislation) from which departments derive their authority, have been mentioned in the narrative, at appropriate places.

Administration dealing with continuously changing life situation has to be dynamic. Changes in the various branches of administra-

tion of the State of Uttar Pradesh did, therefore, take place. As elsewhere they were prompted by expediencies, developments in the legislative field, contemporary socio-economic requirements, problems of law and order, growing awareness of rights among citizens, public participation in development programmes, growth of social and public utility services, etc. These changes, the causes that were responsible for them and the underlying factors that accelerated these changes have found expression throughout the book. Inter-departmental relationships, machinery for controlling and co-ordinating governmental activities in different departments have also received careful attention of the authors.

Shri M. Zaheer, who was till recently Member of the Tariff Commission in Bombay, belongs to the U.P. State cadre of the Indian Administrative Services and has behind him long experience of state administration, having served the State in various capacities. Shri Jagdeo Gupta who is an Officer on Special Duty (O & M) at the headquarters of the State Government, has varied experience of the working of the State Government. The authors deserve appreciation for their valuable contribution to the literature on public administration in India.

NEW DELHI,  
June 1970.

J. N. Khosla,  
Director,  
Indian Institute of Public Administration.

## PREFACE

Some years ago it was suggested by the Indian Institute of Public Administration that it would be desirable to compile a book giving particulars of the functions of each of the Departments of the State Government and its organization at different levels. The administrative structure of the State Government is extensive and continues to grow larger and more complex from day to day; this makes it increasingly difficult either to get a broad picture of the organization or of its details. No publication is available which may provide information comprehensively on the structure of the State Government of Uttar Pradesh and its various departments, their headquarters organization as well as the set up at the regional and district levels. This in itself was justification enough to embark on this attempt. We, therefore, took up this work and it took us a few years before it could be completed. In a venture of this nature, there is the danger of many details becoming out of date by the time these are collected and set forth. Every attempt has, however, been made to bring the information as up-to-date as possible. Chapter headings refer to the main functions performed by the administrative machinery of the Government. Details in respect of the authority, organization or departments have been given in the sub-chapters arranged under the relevant chapters. This arrangement has been followed for all the chapters except for the first which is of an introductory nature. An attempt has also been made to give a brief history of each department and the development of its various wings both at the level of the Secretariat as well as in the field. This is followed by a description of the objectives and functions of the department, the organization in the State Secretariat, that of the head of the department and subsequently that of the regional and field offices. In some cases organization charts also have been provided. Wherever statutory or advisory committees, boards or councils exist, their constitution and functions have also been mentioned at the end of the narrative. Particulars of annual administrative reports published by a department as well as a list of Acts, manual and rules from which the department derives its authority, or which lay down the principles relating to its functions, have also been provided. We had originally intended to include particulars of the strength of the entire staff in each department at the various levels

aggregated and classified according to status and functions together with the budget of income and expenditure under suitable heads relevant to the financial activities of the department, but we found that it was not possible to do so. The position of the staff is more or less fluid particularly at the lower levels in most departments, and information becomes out of date within a few months. As to the budget, a similar difficulty was encountered. The actuals would have been out of date, and the estimates are liable to change. We decided, therefore, to omit the presentation of this material. In order to keep the narrative as objective as possible, the progress or the results achieved or the effect of the working of the organizations on social or economic conditions have been omitted altogether, since this would have involved the risk of entering into issues of evaluation which we have carefully avoided.

Every attempt has been made to bring the data as up-to-date as possible, but it is not unlikely that errors might have crept into the information utilised. We request, therefore, that if any inaccuracy is noticed it may please be communicated to the Indian Institute of Public Administration, so that it may be kept on record and utilised to make corrections, if a supplementary or fresh edition is brought out.

The compilation of such a book needed the collection of vast variety of data and research into the history of almost every department. This has been made possible by the co-operation extended to us by all those whom we approached for information. We wish, therefore, to express our thanks to the Secretaries of the various departments as well as to the heads of departments and through them to their officers and staff who assisted us by providing statistics and reports. Thanks are specially due to the Indian Institute of Public Administration, New Delhi, who arranged to get the book published and to the State Government of Uttar Pradesh who generously subsidized the publication of the book by providing suitable grant.

Tariff Commission,  
Bombay.

M. ZAHEER

General Administration  
(Reorganization) Department,  
Vidhan Bhawan,  
Lucknow.

JAGDEO GUPTA

January, 1970,

## AUTHORS' NOTES

The views and comments in the book, if any, are entirely the responsibility of the authors and Government of Uttar Pradesh are in no way concerned with the publication of the book.

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In this book a reference has been made at places to Uttarakhand Division. While the book was in the press, the Uttarakhand Division was bifurcated—a part of it going to Kumaun Division and the other to the newly formed Garhwal Division. As printing of the book took a long time, it could be possible to bring this fact in the table on page 15 as also at many other places. Any reference to Uttarakhand Division in other portions of the book may be read in this context.

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Certain organizational changes in the units of a few departments took place while the book was in the press, although overall structure of the departments remained practically the same. Numerous such minor or major changes were incorporated in the text, as could be done conveniently during proof stage, but many had to be left out as that could not be helped at late stages.



External boundary of India on the map agrees with the Record Copy certified by the Survey of India.

NOTE.—Administrative Divisions bear the name of their headquarters except as indicated below :

Division	Headquarters
Garhwal Division	Pauri
Kumaun Division	Naini Tal
Rohilkhand Division	Bareilly

(See table and foot-note on pages 15 and 16 and Chapter 12.1 on Divisional Administration).



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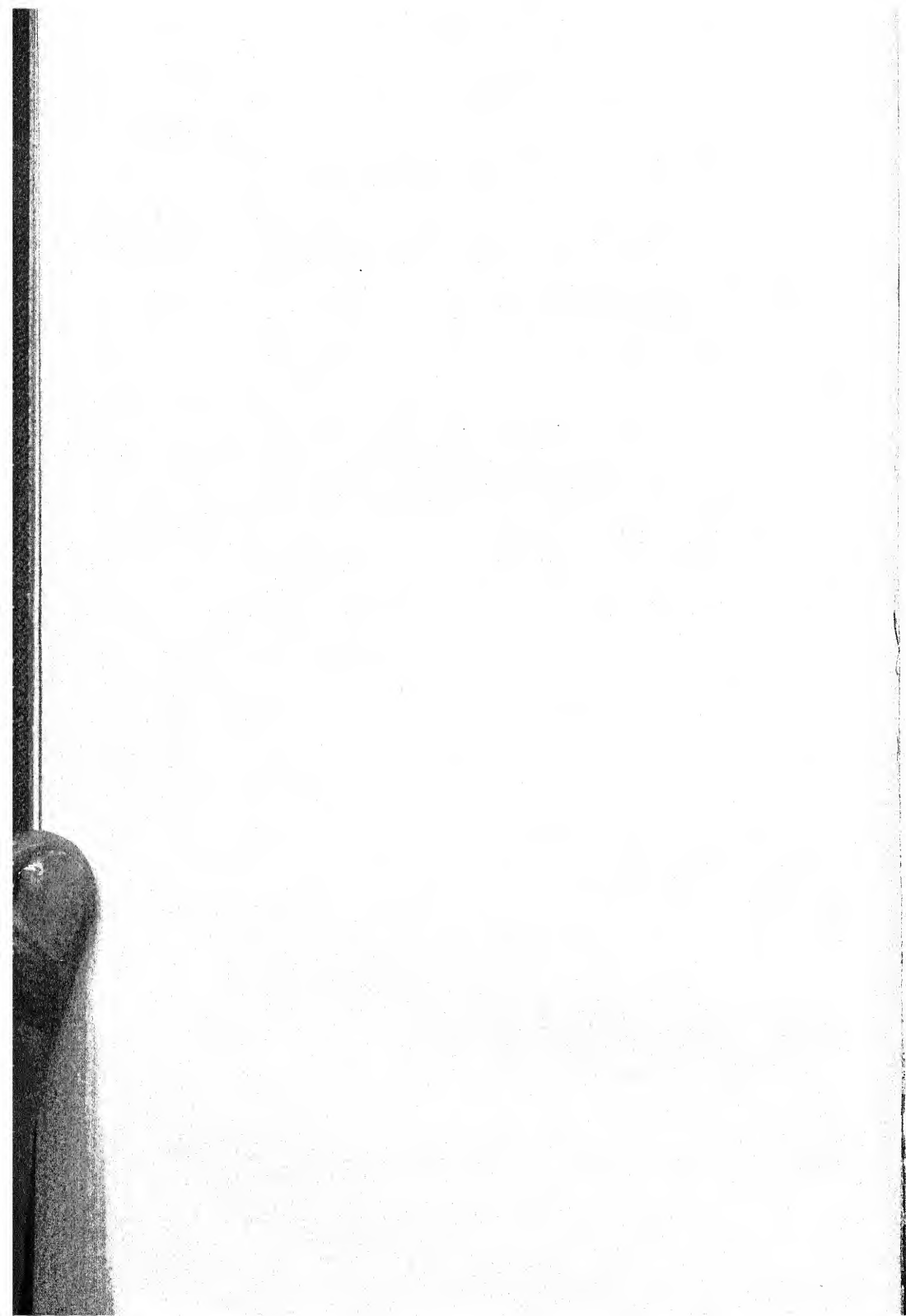
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## CHAPTER 1

# Land and The People

### 1.1.—TERRITORIAL AND ADMINISTRATIVE HISTORY

1.1.1. In retrospect the continuity of the existing system of administration in Uttar Pradesh can be traced back to the year 1775 when the area of the present Varanasi Division was handed over by the Nawab Wazir of Avadh to the East India Company. It would be interesting to trace briefly the events which led to this initial incursion of the British power in Uttar Pradesh.

1.1.2. After the death of Aurangzeb, the Sarcars of Banaras (now Varanasi), Jaunpur and Ghazipur were assigned to Murtuza Khan, courtier of the Mughal Emperor, who in 1722 leased them to Saadat Khan, Nawab Wazir of Avadh for rupees seven lakhs a year. The Nawab Wazir sub-leased them to Mir Rustam Ali for rupees eight lakhs a year and Mir Rustam Ali in his turn entrusted the estates to a bhumihar brahmin Mansa Ram. Subsequently Mansa Ram conspired against Mir Rustam Ali, had the latter thrown into prison and obtained in 1738 on the one hand the lease of the territory from Safdarjung, Nawab Wazir, on payment of Rs. 13 lakhs as annual revenue and on the other a 'Sanad' and title of Raja from the Mughal Emperor Muhammad Shah in the name of his son Balwant Singh who succeeded him in 1740. From then to 1764 the relationship between the Raja and the Nawab Wazir of Avadh was hostile and acrimonious and it developed into an open rift in 1764 when, the East India Company recognised the Raja as an independent power and tried to persuade him against joining Shujauddaulah and Mir Rustam Ali. In October the same year Shujauddaulah, Nawab Wazir of Avadh and Shah Alam II who had joined hands with Mir Kasim to oust the British from Bengal were defeated by the East India Company at Buxar. Shah Alam concluded peace with the East India Company and the East India Company succeeded in persuading Shah Alam to transfer the suzerainty of Banaras from the Nawab to the East India Company and he did so on the 29th of December, 1764. Subsequently, however, in August 1765 a treaty was made between the East India Company and Nawab Shujauddaulah restoring to the latter his Avadh territories but excluding Allahabad and surrounding area on payment of Rs. 50 lakhs by the Nawab to the Company. The area of Allahabad and Kora taken out of Avadh was handed over to Shah Alam II. It was also stipulated that "His Highness Shujah-ul-Dowla engages in the

most solemn manner, to continue Bulwant Singh in the Zemindaries of Benaras, Ghazepure and all those districts he possessed at the time he came over to the late Nabob Jaffier Ally Khan and the English on condition of his paying the same revenue as heretofore".<sup>1</sup> The Nawab, however, did not treat his vassal kindly and attempted in 1767 to arrest him and depose him but was thwarted in his attempt by the East India Company. Balwant Singh was succeeded in 1770 by his son Chet Singh and the Nawab now demanded a *Nazrana* of Rs. 29 lakhs and an increase of Rs. 3 lakhs in the annual tribute. The East India Company again came to the rescue of the Raja and on their intervention the amount of *Nazrana* was reduced to Rs. 17 lakhs and the amount of increase in the annual tribute to Rs. two and a half lakhs. The annual tribute thus came to Rs. 22,48,449 in 1770, more than three times the amount on which the area had been leased in 1722 to Saadat Khan. When in 1771 Shah Alam II placed himself under Maratha tutelage, the East India Company promptly recovered Allahabad and Kora and handed these over under the treaty of Banaras to the Nawab in return for 50 lakhs of Rupees and an annual subsidy to the East India Company for maintaining a garrison of the Company's troops for the Nawab's protection.

1.1.3. When Shujauddaulah died in 1775, the East India Company made a new treaty with Asafuddaulah, his successor, and took over the Banaras Province and appointed a Resident there. The Raja was now given a *Sanad* in 1776 recognising his "Sovereignty" in the territories held by him and confirming him in his zemindari and the civil and criminal administration thereof, subject to a tribute of Rs. 22,66,180 and on condition of his adopting measures for the interest and security of the country and the preservation of the peace.<sup>2</sup> He was also allowed to coin money. The East India Company did not, however, keep their word and not only asked for more subsidy resulting in Chet Singh's deposition but also interfered extensively in the internal administration. When Chet Singh fled and was replaced by his nephew the annual tribute was raised to 40 lakhs. In 1784 a set of rules was drawn up by the East India Company for the guidance of the Raja; Jonathan Duncan, who was appointed as 'Resident at Banaras' in 1787 almost completely took over the administration of revenue and justice from the Raja. The Raja not only allowed him to do this as he was finding it difficult to collect the revenue and pay the exorbitant subsidy fixed by the British, he was only too glad to be relieved of this responsibility.

1.1.4. From 1795, the Raja's administration was substituted altogether by the system obtaining in the East India Company's territories in Bengal and Bihar. A Judge and Magistrate was appointed in each of the districts of Banaras, Mirzapur, Ghazipur and Jaunpur; and a Collector for the whole Division (Province as it was then called).

1. C. U. Aitchison: A Collection of Treaties, Engagements and Sunnuds. Vol. II, p. 68.

2. C. U. Aitchison: *op. cit.*, pp. 39 and 43.

Separate Collectors were appointed for Ghazipur, Jaunpur and Mirzapur in 1817, 1818 and 1830 respectively. In 1829 a Commissioner of Revenue and Circuit was appointed at Banaras for these districts. When the territories were taken over from the Raja, he was allowed certain areas as family domains. His rule in these domains was, however, not considered to be independent. It was only in 1911 that the Raja was made an independent ruler.

1.1.5. A Resident of the East India Company was appointed in Avadh in 1773. In 1798 a new treaty was made with the Nawab Wazir and the subsidy was raised from Rs. 56 lakhs to Rs. 76 lakhs in addition to Rs. 12 lakhs which were to be paid as *Nazrana* by the new Nawab Saadat Ali Khan. The Forts at Allahabad and Fatehgarh were given to the East India Company together with Rs. 11 lakhs to repair and fortify them. In 1801 an additional subsidy of Rs. 54 lakhs was imposed on the Nawab for the purposes of maintaining in Avadh the troops of the East India Company for the greater protection of the Nawab. The Nawab protested, but his objections were overruled and he had unwillingly to surrender under the treaty signed on November 10, 1801 the areas which today constitute the districts of Etah and Mainpuri in Agra Division, the whole of the Allahabad Division consisting of the districts of Farrukhabad, Etawah, Kanpur, Fatehpur and Allahabad, and the present districts of Gorakhpur, Deoria, Basti and Azamgarh, in all constituting eleven districts according to the present territorial distribution. The same year, the whole of the Rohilkhand Division consisting of the districts of Bijnor, Moradabad, Budaun, Bareilly, Shahjahanpur, Pilibhit, as well as other extensive territories were ceded to the Company by Saadat Ali Khan in extinction of the debts he had incurred on account of the British troops maintained in Avadh.<sup>3</sup> In 1802 a treaty was made with the Bangash Nawab of Fatehgarh who ceded whatever was left of Farrukhabad with him, to the East India Company.

1.1.6. On the defeat of Daulat Rao Sindhia at Laswari by Lord Lake, the treaty of Arjungaon was concluded in 1803 and under this treaty Saharanpur, Muzaffarnagar, Meerut, Bulandshahr, Aligarh and major portions of the districts of Agra and Mathura were given over to the East India Company. In the same year the Peshwa ceded Banda and Hamirpur. In 1805 the ruler of Bharatpur ceded more territory in the district of Agra to the East India Company.

1.1.7. On November 28, 1815 the treaty of Sagauli was signed after the Gurkha war and the present districts of Dehra Dun, Naini Tal, Almora, Garhwal, Pithoragarh, Chamoli and Uttar Kashi were taken over by the East India Company.

1.1.8. On Govind Rao's death without heir the State of Jalaun lapsed to the British in 1840. After the battle of Maharajpur a treaty was signed in 1844 between the East India Company and the Sindhia ruler and through this treaty a portion of Jhansi (Lalitpur) was ceded.

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3. District Gazetteer, Bareilly, p. 166.

Jhansi lapsed to the East India Company on the death of Gangadhar Rao in 1853.

1.1.9. Avadh comprising of the districts of Lucknow, Unnao, Rao Bareli, Sitapur, Hardoi, Kheri, Faizabad, Gonda, Bahraich, Sultanpur, Pratapgarh and Barabanki was annexed on February 13, 1856.

1.1.10. From then until the year 1949 there were no important territorial changes. In that year the states of Rampur, Tehri-Garhwal and Banaras were merged with Uttar Pradesh and a number of small states and enclaves in the Jhansi Division were also absorbed.

### *Administrative Arrangement*

1.1.11. After the territories were ceded by the Nawab Wazir of Avadh to the East India Company, a Board headed by a Lieutenant Governor was appointed in 1801 with headquarters at Bareilly for the administration of the ceded districts. The post of Lieutenant Governor was abolished in 1803 and was not revived until 1836. The Board was also disbanded in 1803 and the administration was taken over by the Board of Revenue at Fort William, Calcutta. A Board of Commissioners consisting of two members was, however, reconstituted in 1807 and with certain changes and its temporary abeyance in 1830, it continued later on. The ceded and the conquered districts were given in 1809 the new name of 'Upper Provinces'. In 1829 Commissioners of Divisions were also appointed but they were then called Commissioners of Revenue and Circuit. The chief authority for administrative control was, therefore, the Board of Revenue. The highest judicial courts were the Sadar Diwani and the Sadar Nizamat which were set up in 1831 at Allahabad to which appeals were referred from the local judges. Earlier, the local courts too were under the jurisdiction of the Diwani and Nizamat Courts at Calcutta.

1.1.12. The actual administration was, however, directly controlled all these years by the Supreme Government of Bengal at Calcutta. The Charter Act of 1833 made a significant change in so much as the Governor-General became the Governor-General of India and his Government was known for the first time as the Government of India. The successive absorption of new territories in the Bengal Presidency made it an unwieldy charge. The Act of 1833 relieved the Governor-General of his direct charge of the areas now in this State. The idea initially was of instituting a fourth Presidency<sup>4</sup> (the other three being the Bengal, Bombay and Madras Presidencies) to be known as the Agra Presidency with a Governor and this was put into practice for a very brief period in 1834, by separating the Upper Provinces from the Bengal Presidency and making its headquarters at Allahabad Fort. It was shortly afterwards abandoned in favour of a Lieutenant-Governorship of the North-Western Provinces which was created in 1836 with headquarters at Agra. In January, 1858, Lord Canning

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4. Montagu-Chelmsford: Report on Indian Constitutional Reforms—para 37.

proceeded to Allahabad and in February, he formed the whole of the North-Western Provinces excluding the Delhi Division into a single Lieutenant-Governorship, transferring the seat of Government from Agra to Allahabad.<sup>5</sup> Transfer of the High Court from Agra to Allahabad followed in 1868. Avadh had also been in the meantime annexed in 1856 and placed under the Chief Commissioner, but his office was later merged in 1877 in that of the Lieutenant-Governor and the combined jurisdiction was known as 'North-Western Provinces and Oudh'. The entire area subsequently came to be known in March, 1902<sup>6</sup> as the 'United Provinces of Agra and Oudh'. It was a result of the recommendations made in the report on the Indian Constitutional Reforms<sup>7</sup> that the area was constituted in 1921 as a 'Governor's Province' after the enactment of the Government of India Act, 1919. The first elections, though with limited franchise, were held in 1920 for the Legislative Council which was constituted at Lucknow in 1921. As the Governor, the Ministers and Secretaries to Government, etc., had to remain most of the time at Lucknow, the then Governor, Sir Harcourt Butler, changed his headquarters from Allahabad to Lucknow, where a small camp office was maintained. A gradual exodus of some of the departments of the Secretariat and heads of departments started and the Secretariat was completely shifted to Lucknow by 1935. Lucknow thus ultimately became the *de facto* capital of the Province. The name of the Province was further changed to 'United Provinces' in April, 1937 after the enactment of the Government of India Act, 1935 and to 'Uttar Pradesh' from January 26, 1950 under the present Constitution of India.

1.1.13. During the first half of the 19th century almost the entire attention of the Government was concentrated on the collection of revenue and other Government levies. In order to maintain conditions suitable for the collection of taxes and revenues, it was necessary to maintain law and order and for this purpose to set up a system of administration and justice. In course of time some public works were erected and relief measures adopted in times of scarcity.

1.1.14. In order to secure a fixed amount of land revenue payable regularly to Government it was necessary to make settlements with persons who may be best entitled to enter into such agreements with Government or who may offer the highest sum for a particular area. The person with whom the settlements were made was free to collect whatever rent he chose from actual cultivators, to eject them at will, to cultivate the vacant lands himself or to let these out to cultivators. Because of the system of accepting the highest bid for a particular area, the person with whom the settlement was made could be replaced at each new settlement. This resulted in heavy losses as the outgoing contractor frequently failed to pay up all his dues, and large arrears accumulated. This system was, therefore, given up and each new settlement was made with the existing contractor, the

5. District Gazetteer, Allahabad, page 190.

6. General Administration Report, 1901-02.

7. Montagu-Chelmsford Report, para 218.

land revenue being based on rental assets which could now be ascertained with a fair measure of accuracy because of improvements made in the records relating to land. As settlements were thus made with the same person or his heirs, these persons came to have certain rights in the area and were treated as proprietors or zamindars and were the intermediaries between Government and the tiller of the soil.

1.1.15. In Banaras Division a permanent settlement was made in 1795. In the remaining part of the Province only periodical (technically called temporary) settlements were made. At first they were very summary and were revised every three years or so. Later on regular settlements for about thirty years were made. After the system of accepting bids was given up, the land revenue used to be fixed at 83% of the rental assets. However, this was found to be too high and was reduced to 66% in 1833 and then again to 50% in 1855. In the beginning the maps and other records were of a perfunctory nature. In course of time accurate maps were prepared by cadastral survey, and in addition a field-book and record of the rights of zamindars and tenants and their revenue or rental demand were maintained. The original survey sheets were preserved for future use and the records (Khasra, Khatauni and Khewat) prepared at the time of settlement were also bound together in a volume, known as the settlement volume which constituted a permanent record and good evidence of rights in a court of law. At each settlement village customs regarding the instalments of rent, sharing of profits between co-sharers, appointment of lambardars, headmen and patwari were ascertained, recorded and made part of the settlement volume to serve as customary law. The records prepared at the settlement formed the basis of the annual records in which changes were incorporated until the next settlement.

1.1.16. The income from land revenue amounted to Rs. 4.5 crores in the second quarter of the 19th century and in about a hundred years increased to about Rs. 7 crores. After the abolition of Zamindari the amount directly payable to Government by the cultivators was about Rs. 22 crores.

1.1.17. Non-agricultural revenue consisted mostly of transit duties, at  $2\frac{1}{2}\%$  *ad valorem*, between one district and another on a large number of articles such as blanket, charcoal, cotton, drugs, furniture, ghee, hides, leather, paper, saltpetre, soap, silk, spices, sugar and tobacco. Separate collectors of customs were appointed and they used to receive a commission of 5% on the collection. This inefficient system was later abolished. The present toll and terminal taxes charged by local bodies are analogous to these old transit duties. The other sources of State revenue were salt, opium and alcoholic drinks. The first is now a Central subject and excise duty on opium, alcohol and other drugs are still a big source of State revenues.

1.1.18. *Police, Law and Order.* In the beginning of the 19th century the Collector, who was also a Magistrate, appointed thane-



dars and chaukidars. The former were under the Tahsildar and the old custom was that they also used to award punishments on offenders. It was only in 1861 that the posts of Superintendent of Police for districts<sup>8</sup> were created and thanedars were then placed under their charge. The Collector, however, continued to be responsible for law and order—an arrangement which has been throughout a source of much friction. The salary of a thanedar ranged between Rs. 25 and 50 a month. A constable was paid only Rs. 4 a month. The chaukidar was given about three acres of land by the zamindars, and land revenue on such land was remitted by Government. In 1845 the expenditure on the police was Rs. 1,16,877-13-4, as against the Police budget of Rs. 19.67 crores for 1967-68.

1.1.19. *Jails.* In the pre-British period there were no jails though some local chiefs maintained their own dungeons for confining captured enemies or persons who fell from grace. Jails were set up in the early days of the East India Company but it took a long time to bring about any degree of efficiency. An Inspector of Prisons for the whole State was appointed in 1844 on a salary of Rs. 2,500 a month. In 1829 there were about 10,000 prisoners in U.P. and in 1839 their number increased to 23,000. As a result of the problem created by convicts serving long term sentences who often became violent, Central Jails for such prisoners were established at Aligarh, Agra, Allahabad, Bareilly, Banaras and Meerut under the charge of a European Superintendent of Jail. For long the prisoners were given a cash allowance to purchase food articles from shops maintained in the Jails. But this was later changed to the present system of supplying cooked food.

1.1.20. *Agriculture and Irrigation.*—The recurring famines of 1803, 1812 and 1837 led to the necessity of providing relief by remission of land revenue, distribution of agricultural loans and provision of employment to able-bodied persons. This was the beginning of the formulation of the famine policy which was later on incorporated in a manual known as the Famine Code. The first work for agricultural improvement was the reconstruction of two pre-British canals lying in a bad state and not in use. These were the Western Yamuna Canal completed in 1827, and the Eastern Yamuna Canal opened for irrigation in 1830. The rigours of the famine of 1837 were considered to have been lessened by the existence of these canals in the areas served by them. This and the revenue from them encouraged Government to take up the construction of a bigger work, the Ganga Canal opened for irrigation in 1854, though the full supply of water was available only after the famine of 1860-61.

1.1.21. *Communications.*—It was in the fourth decade of the 19th century that Government paid any attention to roads. The metalling of the Grand Trunk Road which was till then a katcha road and had

8. Report of the Committee on Police Administration of the North-Western Provinces and Oudh, 1891: pp. 1-2. See also Chapter 6.1 on Home (Police) Department.

been in existence for a long time, was taken up in 1836. The cost was met by a one per cent. cess on revenue and toll-tax on public ferries. The Public Works Department, however, came into existence in 1844 when it also took up construction of Government buildings. Before the Public Works Department was set up, buildings used to be constructed and maintained in the districts by the Collector. Earlier, roads were constructed by a Military Board which was not efficient. The first railway line in the State was laid in 1856. This was the railway from Calcutta to Allahabad via Mirzapur. It reached Kanpur in 1858, Etawah in 1860 and Delhi in 1864. Dak was originally carried by runners who were later replaced by horse-carts. These carried passengers also by arranging for a relay of bearers to carry palanquins. Later, they were carried by horse-carts. In 1850 the Post Office became a Central Department and a uniform postage rate was fixed for the whole country irrespective of distance. The charge for a letter was half an anna. The telegraph line was laid from Calcutta to Agra in 1853-54. Up to 1859 telegraph messages were written on revenue stamp paper. This was followed in 1860 by special telegraph stamp. The use of ordinary postage stamps for telegrams came much later.

1.1.22. *Education.*—In India education was hardly ever considered to be the duty and responsibility of the State. The earliest modern educational institution in this Province set up by the Company was the Sanskrit Pathshala, known later as Central Hindu College, at Varanasi. A sum of Rs. one lakh was provided for education every year from 1813 onwards but nothing was spent till 1823 when a Government College, now the Agra College, was started. A number of schools were, however, run by Christian missions and other public organizations. Education was first imparted according to the age old traditional curricula but later on English language and literature also came to be taught. Education through the medium of local languages (known as vernacular) was also encouraged. A middle school was opened at the headquarters of each Tahsil and the Head Master was paid Rs. 10 to 12 per month; each district had a Zila-visitor on one to two hundred rupees a month. There was a Visitor General for the entire Province and he was paid Rs. 1,000 a month. Later the post was upgraded to that of Director of Public Instruction at Rs. 2,000 per month with headquarters at Meerut. In 1854 the system of grants to private institutions was introduced. The beginning of technical education was made when three good students of the Agra College were sent for training under the British engineers of the Ganga Canal working on the head-works at Hardwar. In October, 1847, the Roorkee Engineering College was established. Each of the 16 students was given a stipend of Rs. 5 per month and free accommodation. For a long time medical students from all over the country had to go to Calcutta. In 1854 when a new building of the Thompson Hospital was ready at Agra the Lieutenant Governor of the Province sought the permission of the Governor-General to allow the Hospital Committee to make arrangements for giving instructions to a subordinate class of "Native Doctors". The classes actually started in 1865 which was the beginning of medical education in this Province.



1.1.23. *Revenue Administration.*—The first territories of the Upper Provinces to come under British occupation were Banaras and the adjoining districts whose sovereignty was transferred to the Company in 1775. In 1787 Jonathan Duncan persuaded the Raja of Banaras to make a settlement of the land revenue and the whole territory was permanently settled in 1795 on the basis of the permanent settlement of Bengal instituted by Lord Cornwallis in 1793. However, in the remaining part of the Province, permanent settlement could not be made and in the early era they were revised at short periods, the revenue being raised each time in proportion to the increase in the volume of crops. The persons being entitled to engage for the payment of revenue were called up and settlements made with the persons whose claims seemed to be the strongest provided they were ready to pay the amount consonant with the figure of the last year and also if there was no higher bid. The rental assets of the land were not enquired into. The best claimants were often ignored and high bids were accepted. The result was that there was heavy assessment which the proprietors were not able to pay and arrears accumulated. The system improved after the Regulation VII of 1822 was enforced. This provided for a cadastral survey, preparation of a record of rights and a moderate assessment of land revenue. There was also an attempt made at providing a measure of security in respect of the rights of cultivators. But the assessments were still quite high as the land revenue was fixed at 83% of the assets. It was collected in several instalments which fell due before the crop was removed from the field.

1.1.24. *Administration of Justice.*—During the early rule of the East India Company, the administration of justice was manifestly defective. There was only one court of appeal at Calcutta. Parties had to travel long distances in search of justice which was a great hardship in those days of difficult and dangerous travel. In 1831 Lord William Bentinck established separate Sadar Dewani and Sadar Nazamat Adalats at Allahabad for the Upper Provinces to which appeals lay from all the local judges. The Munsifs could decide cases up to the value of Rs. 150 and Sadar Amins, who were next higher in rank, could decide cases up to the value of Rs. 1,000. The next higher court was that of principal Sadar Amin whose financial jurisdiction extended up to Rs. 5,000. These posts were manned by Indians. Appeals from their decisions lay to British (known as English) Judges. The Collector was authorised to try small suits relating to rent. The first step towards the appointment of a District and Sessions Judge was taken in 1831. A system of appeal by Jury was introduced in 1832. In the same year corporal punishment was abolished. The Judges originally had also magisterial powers but this created numerous difficulties and the functions of the Magistrate were later transferred to the Collector. In 1836 the use of Hindi and Urdu was permitted in the courts in place of Persian and by 1839 the use of Persian was forbidden.

## 1.2.—TOPOGRAPHY, CLIMATE, AREA, POPULATION AND ECONOMIC CONDITIONS

1.2.1. Uttar Pradesh stretches from West to East under the mountain ranges of the Siwaliks and Himalayas, between the longitudes of  $77^{\circ}04'$  E and  $84^{\circ}39'$  E, and the latitudes of  $23^{\circ}52'$  N and  $31^{\circ}28'$  N, with an area of 294,364<sup>9</sup> sq. km. which is 9.65 per cent. of the total area of the country. From North-West to South-East the length is about 900 k.m. and North to South about 650 k.m. It has an inverted L shaped figure with a small pendulous projection in the South. The shorter and stubby side constitutes the Kumaun and Uttarakhand Divisions and the district of Dehra Dun in the North-west; in the Southwest is a triangle shaped protrusion of the district of Jhansi. On the North the boundaries of this state are common with the country's international frontier with Nepal and Tibet, in the North-west are Himachal Pradesh, Haryana, Delhi and Rajasthan. The South and East borders are common with those of Madhya Pradesh and Bihar respectively. Part of the boundaries on the West, South and East are natural, these being formed by the Yamuna, Ganga and Gandak respectively; the rest are artificial.

1.2.2. There are four physiographic regions, the Himalayan region in the North, the sub-montane tract of Bhabar and Tarai, the Gangetic plain in the middle and the Vindhya-chal and Aravali hills and plateau in the South. The mountaneous region in the North is comprised of the districts of Uttar Kashi, Chamoli, Pithoragarh, Dehra Dun, Tehri-Garhwal, Almora and Nainital. The rock formations which are marine sedimentary metamorphosed with granite are highly folded and faulted and have some of highest peaks, *e.g.*, Nanda Devi (7817 metres), Kamet (7756 m.), Badrinath (7138 m.) and Trisul (7120 m.). The entire region is rugged and wild with hardly a plateau anywhere. The chief river systems of the State originate in this region which has snow-clad mountains and which feed these perennial waterways.

1.2.3. The sub-montane region is called Bhabar and Tarai. Bhabar is the area covered by the slope of the mountaneous ranges in the North and is about 32 km. wide in the West but narrows down towards the East. A large area of the Bhabar is covered by forests. Tarai is the area below the Bhabar and is much wider. It is generally covered by forests and tall grasses. The vast Gangetic plain stretches over a length of more than 800 kilometres unrelieved by hillocks or valleys. Forty-two out of the 54 districts in the State lie in this area. There is a gentle slope from the North-West towards the North-East ranging between 300 to 75 metres mean sea level. The soil is a deep layer of alluvium and therefore fertile. The fourth region consists of the Southern hilly tract falling in Jalaun, Jhansi, Hamirpur and Banda districts, Meja and Karchhana Tahsils of Allahabad, Chakia Tahsil of Varanasi and the entire district of Mirzapur. Geologically it has been

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9. Statistical Abstract of Indian Union, 1965, The Central Statistical Organization, Department of Statistics, Government of India, p. 14.

formed out of fluvio marine deposits of the pre-Cambrian period, uplifted and peneplaned a number of times and presents now a surface carved out of gneissic granite. The rock surface is generally hard and devoid of vegetation.

1.2.4. *River systems.*—Yamuna and Ganga both originate in Uttarkashi. Ganga is later joined by Ramganga and the Sarda which originate in the hills in the North and by Ghaghara and Rapti coming from Nepal, by Gomti, Sai and Kali originating in the plains and by Tons from the South. Yamuna is joined by Hindan from the North and by Chambal on the Western borders of the State. Sind, Betwa and Ken from the South and itself joins Ganga at Allahabad. The two rivers with their tributaries spread a wide network of waterways with which almost the entire State is covered.

1.2.5. *Rainfall.*—In the Himalayan region rainfall varies from 246 cm. to 259 cm.<sup>10</sup> and is the heaviest, but in the plains it varies from 70 cm. in the North-West to 127 cm. in the East.<sup>11</sup> The Eastern region which has a very gentle slope and slow moving and wide waterways is therefore subject to occasional floods. Eighty-five to 90 per cent. of the annual precipitation occurs during the months from June to September. Winter rains contribute only 4 to 7 per cent. of the total rainfall.<sup>12</sup>

1.2.6. *Climate.*—The pattern of precipitation is closely linked with the climate which is of the tropical monsoon variety and the temperature varies in the plains from 8°C to 42°C.<sup>13</sup> The hill regions are cool throughout the year with considerable snowfall during the winter in the upper reaches. Hailstorms in February and March are not uncommon in the plains.

1.2.7. *Forests.*—The total forest area was 41,469 sq. km. in 1960-61.<sup>14</sup> This accounts for 14.1 per cent. of the State's geographical area against the forest area of 21.1 per cent. for the whole country.<sup>15</sup> Forests are sparse in the plains, where 34 districts have only 1.8 per cent. of their total area under forests;<sup>16</sup> almost all the forest area is concentrated in the districts of Kumaun and Uttarakhand Divisions and Dehra Dun, the districts of Pilibhit and Lakhimpur-Kheri in Tarai and Mirzapur in the South. The per capita forest area is 0.051 hectare as against 0.127 hectare for all India. The gross revenue per sq. km. was, however, Rs. 1667 against that of Rs. 836 for the whole country.

1.2.8. *Minerals.*—Most of the Gangetic plain is under a heavy overburden of alluvium and no mineral exploitation is possible in this region. Minerals have been prospected in the Northern hill districts including Dehra Dun and in the districts of Mirzapur, Allahabad, Banda, Hamirpur and Jhansi. Extensive deposits of limestone both cement as well as flux grade have been found in Dehra Dun and Mirza-

10, 11, 12 and 13. Techno-Economic Survey of Uttar Pradesh, National Council of Applied Economic Research, New Delhi, p. 4.

14 and 15. Statistical Abstract of Indian Union, 1965, p. 80.

16. Techno-Economic Survey of Uttar Pradesh, p. 10.

pur and are being exploited. So is the mining of silica sand in Allahabad and Banda. Other minerals found are gypsum, dolomite, pyrophyllite, fireclay, marl, soapstone and asbestos. Coal seams have been found in the Singrauli area of Mirzapur; these extend into Madhya Pradesh. Eighty per cent. of the all-India production of silica sand comes from U.P. but the overall production in terms of value is estimated at 0.8 per cent.<sup>17</sup> of the all-India mineral production against the area of 9.6 per cent. and the population of 16.8 per cent.

1.2.9. *Population.*—The population at the census of 1961 was 73,746,401<sup>18</sup> or 16.8 per cent. of the national population, and thus, the State ranks first of all the States though it is fourth in area. The density per sq. km. is 251 persons as compared to 134 for all-India. It is particularly high in the eastern districts where it varies from 405 in Gorakhpur to 464 in Varanasi. Lucknow with a density of 529 is an exception mainly because of the high urban concentration and small size of the district. Kanpur has a density of 390, Agra 386 and Meerut 451. The most sparse is Uttarkashi with only 16 souls to the sq. km. The increase during the decade 1951-61 was 16.7 per cent.<sup>19</sup> compared to all-India increase of 21.5 per cent. for the same period. In 1961, 87.1 per cent.<sup>20</sup> of the population was rural compared to the all-India figures of 82 per cent.; 12.9 per cent. of the population is in urban areas; the all-India percentage is 18. There are 267 towns and 112624 villages<sup>21</sup> in the State. Of these, the population in 17 towns is above one lakh. Uttar Pradesh has the largest number of large towns, the next States Maharashtra and West Bengal both have 12 such towns each.<sup>22</sup>

1.2.10. *Agriculture.*—The net irrigated area in 1961 was 29.5 per cent. (India 18.5 per cent.) and double cropped area 26.4 per cent. of the net sown area (India 14.74 per cent.). The agricultural output per hectare was Rs. 412.5 against the all-India figure of Rs. 398.<sup>23</sup> Seventy-five per cent. of the State's total working force was employed on Agriculture in 1960-61 against the all-India figure of about 70 per cent. The contribution of agriculture (excluding Animal Husbandry) to net output was 47 per cent. against all-India 42.6<sup>24</sup> per cent. The total cropped area of 84 per cent. was under food crops against all-India 76 per cent. Rice covered 20 per cent. (India 23 per cent.), wheat 18 per cent. (India 9 per cent.). Sugarcane occupied 5.7 per cent. against all-India 1.5 per cent. With its livestock population of 494 lakhs<sup>25</sup> the State supported 14.7 per cent. of the country's livestock

17. Techno-Economic Survey of Uttar Pradesh, p. 90.

18. Statistical Abstract of Indian Union, 1965, p. 14.

19. Op. Cit., p. 28.

20. Op. Cit., p. 15.

21. Op. Cit., pp. 22-23.

22. Op. Cit., pp. 20-22.

23. Techno-Economic Survey of U.P., p. 8.

24. Op. Cit., p. 239.

25. Statistical Abstract of Indian Union, 1965, p. 73.

on an area of 9.65 per cent. The density of livestock population was 168 per sq. km. as against 103 for all-India.

1.2.11. *Industry*.—A very large portion of the industrial development in the State has taken place during the last few years, when some of the largest industrial units came up. In 1964 the total productive capital (assets plus working capital) was Rs. 381.34 crores, employment 2,74,881; value of gross output Rs. 387.44 crores and value added by manufacturer Rs. 88.90 crores.<sup>26</sup> The share of Uttar Pradesh in the gross factory output of the whole country was 6.92 per cent. while the share of Maharashtra was 24.11 per cent. and of West Bengal 21.77 per cent.<sup>27</sup> Sugar and textiles were the main industries besides electricity and power. The total gross value of sugar produced in 1964 was Rs. 101.02 crores and that of textile Rs. 72.71 crores.<sup>28</sup> The production of sugar was about 43 per cent. of that of the whole country. Comparative figures for the cotton textile industry were about 6 per cent. The capital employed on electricity and power in 1964 was Rs. 180.2 crores.<sup>29</sup> Some of the large units which have come up in recent years are as follows:

1. Indian Drugs and Pharmaceuticals Ltd., at Rishikesh being set up at a cost of about Rs. 19 crores.<sup>30</sup>
2. Gorakhpur plant of the Fertiliser Corporation of India Ltd., being set up at a cost of about Rs. 25 crores.<sup>31</sup>
3. Bharat Heavy Electricals Ltd., Ranipur, Hardwar for the manufacture of turbines and generators at a cost of about Rs. 61 crores.<sup>32</sup>

All these units are in the public sector. The Government Cement Factory at Churk is owned by the State Government and so is the Government Precision Instrument Factory at Lucknow. In the private sector the more important units are the Hindustan Aluminium Corporation, Pipri, Mirzapur with a net block of about Rs. 38 crores.<sup>33</sup> Kanoria Chemicals and Industries Ltd., Renikoot with a capital of more than Rs. 2 crores.<sup>34</sup> Synthetic Rubber Factory, Bareilly with a capital of more than Rs. 20 crores<sup>35</sup> and the factory for the manufacture of synthetic camphor at Bareilly. Recent figures for small scale industries are not available. In 1960 there were 1845 registered units (employing fifty and less workers) with a labour force of about 41,000.

26. Annual Survey of Industries, 1964; Provisional results issued by Central Statistical Organization, Calcutta, 1966, p. 55.

27. Op. Cit., p. ix.

28. Op. Cit., p. 52.

29. Op. Cit., p. 55.

30. Annual Report on the working of Industrial and Commercial Undertakings of the Central Government for the year 1964-65, Bureau of Public Enterprises, Govt. of India, p. 22.

31. Op. Cit., p. 62.

32. Op. Cit., p. 26.

33. Hindustan Aluminium Corporation Ltd. Annual Report 1966, p. 2.

34. Report of the Monopolies Enquiry Commission, 1965, p. 391.

35. Op. Cit., p. 393.

Of these the largest were in the engineering group employing about 13,000 workers. The next group was that of agro-based industries employing about 12,000 workers.<sup>36</sup>

1.2.12. *Power*.—In 1963-64 the installed capacity for power generated in U.P. was 7,65,368 K.W. against 62,28,533 K.W.<sup>37</sup> for the whole country which works out to 12.3 per cent. against 16.8 per cent. of the population and 9.65 per cent. of the area. The actual energy generated was 2,484 million K.W.H. as against 26,354 million K.W.H.<sup>38</sup> for all-India or 9.4 per cent. of the total country's generation. Of the total power generating capacity, 50 per cent. was accounted for by steam, 45 per cent. by hydel and the remaining 5 per cent. by oil. The corresponding all-India figures are 43, 51 and 6 per cent. respectively. Total per capita consumption was 22.4 K.W.H. as against 48.7 K.W.H. for the whole country and 103.0 K.W.H. for West Bengal.

1.2.13. *Transport*.—The net-work of roads extended in 1963 to about 109,643 kilometres.<sup>39</sup> Railways had a network of about 8,700 kilometres.<sup>40</sup> The railway kilometrage is 15.3 per cent. of the total route kilometrage of India of about 56,950 km.<sup>41</sup> This works out to an average of 29.7 route kilometres for 1000 sq. km. of area as compared with the all-India average of 17 route kilometres. Comparable figures for roads are 37 km. per 1,000 kilometres. The ratio of road kilometrage per 1,000 of population is 1.49 against the all-India average of 1.72 kilometres.

1.2.14. *Education*.—In 1960-61 the percentage of enrolment of school-going children in the age group 6-11 was 43.47 against the all-India percentage of 60.<sup>42</sup> Literacy percentage was 20.7 as against 28.3 for all-India and 55.1 of Kerala, the most literate State.<sup>43</sup>

1.2.15. *Territorial Divisions*.—Historical particulars of the formation of the State and its sub-divisions have been given already. The following are details of the territorial sub-divisions with area and population:<sup>44</sup>

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36. Techno-Economic Survey of U.P., 1965, p. 132.

37 and 38. Statistical Abstract of Indian Union, 1965, p. 97.

39. Op. Cit., p. 317.

40. Techno-Economic Survey of U.P. 1965, p. 169.

41. Op. Cit., p. 170.

42. Op. Cit., p. 12.

43. Statistical Abstract of Indian Union, 1965, p. 590.

44. Op. Cit., pp. 14-17.



Division	District	Area in sq. km.	Population total	Proportion of rural urban population to 1000 total		Density of population per sq. km.
				Rural	Urban	
1	2	3	4	5	6	7
Uttarakhand*	1. Uttar Kashi	7,816	122,836	978	22	16
	2. Chamoli	9,130	253,137	1000	...	28
	3. Pithoragarh	7,221	263,579	1000	...	37
Kumaun*	4. Tehri Garhwal	4,519	347,736	978	22	77
	5. Garhwal	5,454	482,327	943	57	88
	6. Almora	7,027	633,407	957	43	90
	7. Naini Tal	6,825	574,320	805	195	84
Rohilkhand	8. Bijoor	4,833	1,190,987	836	164	246
	9. Moradabad	5,928	1,973,530	778	222	333
	10. Budaun	5,175	1,411,657	916	84	273
	11. Rampur	2,318	701,537	792	208	303
	12. Bareilly	4,121	1,478,490	779	221	339
	13. Pilibhit	3,502	616,225	863	137	176
	14. Shahjehanpur	4,563	1,130,256	861	139	248
	15. Dehra Dun	3,111	429,014	539	461	138
Meerut	16. Saharanpur	5,522	1,615,478	770	230	293
	17. Muzaffarnagar	4,359	1,444,921	868	132	331
	18. Meerut	6,014	2,712,960	794	206	451
Agra	19. Bulandshahr	4,887	1,737,397	873	127	356
	20. Aligarh	5,027	1,765,275	838	162	351
	21. Mathura	3,800	1,071,279	832	168	252
	22. Agra	4,820	1,862,142	641	359	386
	23. Etah	4,442	1,299,674	904	96	293
	24. Mainpuri	4,351	1,180,894	926	74	271

\*The Uttarakhand Division was abolished and a new Garhwal Division was created with effect from December 20, 1968. The limits of that Division and the Kumaun Division were re-defined as below :—

Garhwal Division : Districts of Garhwal, Tehri-Garhwal, Uttar Kashi and Chamoli.  
Kumaun Division : Districts of Nainital, Almora and Pithoragarh.

1	2	3	4	5	6	7
Allahabad						
	25. Farrukhabad	4,260	1,395,071	890	110	304
	26. Etawah	4,323	1,182,202	969	91	273
	27. Kanpur	6,105	2,381,353	590	410	390
	28. Fatehpur	4,269	1,072,940	960	40	255
	29. Allahabad	7,554	2,438,376	818	182	386
Jhansi	30. Jhansi	10,062	1,087,479	762	238	108
	31. Jalaun	4,569	663,168	872	128	145
	32. Hamirpur	7,187	794,449	916	84	110
	33. Banda	7,641	953,731	933	67	125
Lucknow	34. Kheri	7,698	1,258,433	945	55	163
	35. Sitapur	5,791	1,608,057	924	76	278
	36. Hardoi	6,069	1,573,171	927	73	282
	37. Unnao	4,595	1,226,923	976	24	267
	38. Lucknow	2,530	1,338,882	505	495	559
	39. Rae Bareilly	4,553	1,314,949	970	30	289
Faizabad	40. Bahraich	6,786	1,499,929	947	53	221
	41. Gonda	7,327	2,073,237	951	49	283
	42. Bara Banki	4,439	1,414,547	950	50	319
	43. Faizabad	4,416	1,633,359	913	87	370
	44. Sultanpur	4,437	1,412,984	982	18	318
	45. Pratapgarh	3,776	1,252,196	983	17	332
Gorakhpur	46. Basti	7,037	2,627,661	985	15	360
	47. Gorakhpur	6,317	2,565,182	927	73	406
	48. Deoria	5,465	2,375,075	976	24	439
	49. Azamgarh	5,755	2,468,052	952	48	418
Varanasi	50. Jaunpur	3,996	1,737,264	947	53	432
	51. Ballia	3,064	1,355,863	962	38	436
	52. Ghazipur	3,383	1,321,578	966	34	391
	53. Varanasi	5,089	2,362,179	766	234	464
	54. Mirzapur	11,316	1,249,653	885	115	110

Source : Statistical Abstract, Department of Statistics, Government of India.



## CHAPTER 2

# The Executive Government and the Legislature

### 2.1.—THE GOVERNOR AND THE EXECUTIVE GOVERNMENT

2.1.1. The Governor is the constitutional head of the State administration. The executive power of the State formally vests in him and all executive action of the Government of the State is taken in his name.

2.1.2. The office of the Governor can be traced back to the days of the East India Company when the Administration was carried out by the Company's President or Governor assisted or hampered by a large council consisting of the senior servants of the Company. Lord North's Regulating Act of 1773 converted the office of Governor in Council into that of Governor-General in Council and gave the latter superintending authority over the Presidencies of Bombay and Madras along with that of Bengal which later secured territorial jurisdiction over the areas now forming the State of Uttar Pradesh. The Company administration appointed a Lieutenant Governor in November, 1801 for the administration of the ceded districts with headquarters at Bareilly. This post was abolished in 1803. In 1834 a Governor was appointed for the Agra Presidency with headquarters at Allahabad, but the post was abolished in 1836 and replaced by the Lieutenant Governorship of North-Western Provinces which continued to 1920. In 1836 the headquarters were shifted to Agra and to Allahabad in 1858. A significant change in the head of the State took place in 1921, when under the Government of India Act, 1919, the post of Lieutenant Governor was converted into that of Governor. Subsequently, between 1931 and 1935 the capital of the State was in practice shifted to Lucknow.

2.1.3. Up to 1921, when "Reforms" were introduced through the Government of India Act, 1919, on the recommendations contained in Montagu Chelmsford Report the Governor-General in Council was the supreme authority in which was concentrated responsibility for every act of civil as well as military government throughout the whole area. The provincial governments were virtually in the position of agents of the Government of India. All legislative action in pro-

vincial councils was controlled by means of 'instructions' of the Government of India.

2.1.4. A change in legislative, administrative and financial spheres of the provincial field was effected through the 'Reforms' introduced in 1921 by the Government of India Act, 1919. The Devolution Rules framed under the Act divided the functions into 'Central Subjects' and 'Provincial Subjects'—the demarcation being that where extra-provincial interests predominated, the subject was treated as 'central', while all subjects in which the interests of a province predominated were 'provincial',—so classified both for purposes of administration and for purposes of legislation.<sup>1</sup> The 'Provincial Subjects' were further classified into "transferred subjects" and "reserved subjects". The former were removed from purely official administration and were placed under ministerial control. The distribution of executive authority went by the name of "dyarchy". The important transferred subjects were Agriculture, Co-operative Societies, Local Self Government, Public Health and Medical Administration, Excise, etc., while the main reserved subjects were Irrigation, Land Revenue, Finances, Justice, Police, Prisons, etc. The Executive Government consisted of two parts—one comprised of the Governor and his newly provided Executive Council consisting of a British official element and a few Indian non-officials. The 'Governor in Council' was incharge of the reserved subjects. The other part consisted of Ministers chosen by the Governor from the elected members of the Provincial Legislative Council, who were incharge of the portfolios dealing with transferred subjects. The Ministers were, thus, members of the Executive Government but not members of the Executive Council. The Provincial Government was thus, "committed in relation to reserved subjects, to the Governor in Council, and, in relation to transferred subjects, to the Governor acting with Ministers". All Executive Councillors were *ex-officio* members of the Legislative Council, and while the Governor normally presided at the meetings of his Executive Council in respect of reserved subjects, he was guided in the matter of transferred subjects by the advice of his ministers, unless there was sufficient cause to dissent from their opinion, when he could take action otherwise than in accordance with their advice. The Governor did not occupy the position of a purely constitutional Governor bound to accept the decision of his ministers. He had emergency powers to declare a legislative measure essential for the discharge of his responsibilities in case the legislature refused to pass the legislation and to certify an expenditure as essential for the discharge of his responsibilities in respect of any reserved subject in case the legislature refused to vote funds for the purpose, whereupon the grant was restored. The position of the Governor under that system was peculiarly difficult and his job very exacting.<sup>2</sup>

1. For a more detailed treatment, see Chapter 4 dealing with Financial Organization.

2. Para 162 of the Report of the Indian Statutory Commission, Vol. I, says as follows:

(Continued on next page)

2.1.5. The dyarchy was replaced by the federal system" on the basis of the recommendations made by the Indian Statutory Commission of 1929 (Simon Commission) through the Government of India Act, 1935, which provided for constitutional progress in the shape of a "steady process of devolution of administration from the Government of India to the provincial government". The Province became autonomous as from April, 1937. The Governor, however, continued to remain the chief executive authority of the Province. He had now only a Council of Ministers who were normally the members of legislature, to aid and advise him, and he generally acted on their advice except in a number of matters in respect of which the Act required him to act in his discretion or to exercise his individual judgment commonly known as his "discretionary functions". He had also certain 'special responsibilities' such as prevention of any grave menace to the peace and tranquillity of the province, protection of rights and legitimate interests of minorities and also of government servants and their departments. He had discretionary functions in connection with law and order; he alone could 'make rules affecting the organization and discipline of the police' and could take over from the minister concerned the control of the police. The subjects with which the administration was concerned were arranged in three legislative lists—federal, provincial and concurrent; only a provincial legislature could make laws and provincial executive could exercise authority in respect of the subjects in provincial list, while the 'concurrent' list contained subjects which concerned the provinces but in which the Government of India could also legislate to preserve uniformity. The Governor's powers in legislative matters were also extended. He could send messages to the legislature for consideration and he could also regulate procedure in respect of his discretionary functions. He could 'no longer certify a bill as necessary to the discharge of his responsibilities', but with the concurrence of the Governor-General, he could pass permanent 'Governor's Act' to facilitate the discharge of his discretionary functions, which had the same validity as if passed by legislature. He could with the sanction of the Governor-General make ordinances having the force of law when the legislature was not in session or at any time when they were necessary for the discharge of his discretionary functions. He could restore the grants if refused or reduced by the legislature in cases of departments connected with his special responsibilities. The Governor's special powers were extensive, but they were "merely safeguards against the commission of

*(Continued from previous page)*

"He (the Governor) is not only the direct representative of the Crown... and the head of the province in all matters of dignity and precedent; he is not only the chief patron of innumerable institutions and endeavours, and the dispenser of unending official and personal hospitality; he is also the actual and working head of the Executive, presiding over its full meetings and providing by his influence, advice, and sometimes even direction, the cohesion between the two sides of government, which would otherwise be wholly lacking".

3. Federation consisting of Governors' provinces, Chief Commissioners' provinces and princely States.

administrative or legislative errors such as would have serious results"—'errors' more particularly in the context of the foreign rule. Should, however, the constitution break, the Governor could, under Section 93 of the Act, take over the entire administration and carry out all the functions in his discretion except those exercisable by the High Court. An occasion for taking over the administration arose when the Congress Ministry set up on the enforcement of the Government of India Act, 1935, and the franchise provided for in it, resigned in September, 1939. The Constitution was suspended and the administration was carried out by the Governor with the help of his Advisers, who were senior members of the Indian Civil Service.

2.1.6. After Independence, the Governor's powers have been drastically reduced from August 15, 1947 and though all executive action of the Government of the State continues, under the Constitution of India, to be expressed to be taken in his name, the Council of Ministers has been made collectively responsible for all decisions relating to the administration of the affairs of the State, irrespective of the fact whether such decisions were taken by an individual Minister on a matter concerning his portfolio or as a result of the discussions of the Council. The Governor can, however, refer to the Council any matter in which an individual Minister has passed orders, though it is unlikely that there should be occasion to use these powers.

2.1.7. The more important specific duties laid down on the Governor by the Constitution relate to grant of pardons, reprieves, respites or remissions of punishments or to suspension, remission or commutation of sentence of any person convicted of any offence;<sup>4</sup> power of appointing Advocate-General and members of Public Service Commission, and legislative matters concerning assent to Bills,<sup>5</sup> reservation of Bills for the consideration of the President of India, promulgation of ordinances during recess of Legislature, causing the annual financial statement to be laid before the Legislature, addressing and sending messages to the Legislature, making recommendation for the introduction of Money-Bills, etc. In practice, however, the Governor accepts the recommendations of the Minister concerned or Council in all such matters too.

2.1.8. The Governor is appointed by the President of India and holds office during the pleasure of the President, but subject to this, his term of office is five years provided that notwithstanding the expiration of his term, he continues to hold office until his successor enters upon his office. He acts on the advice of the Council of Ministers headed by the Chief Minister. The classes of cases that are to be submitted to him have been specified in the Rules of Business framed under Article 166(3) of the Constitution. The Constitution authorizes the Governor to exercise his functions in certain matters

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4. Appeals relating to premature release of prisoners or against death sentences, are usually dealt with.

5. It is on such assent and authentication that legislative measures passed by the State Legislature become Acts of the Legislature.

in his own discretion, but so far as Uttar Pradesh is concerned, there are no such matters reserved for the discretionary powers of the Governor.

2.1.9. The Governor has a separate Secretariat, known as the Governor's Secretariat, under the charge of the Governor's Secretary. The personal staff of the Governor comprises of an Aid-de-Camp and one Personal Assistant. The Governor's Secretary is assisted by an Assistant Secretary, one Superintendent and a few Assistants. Other members of staff consist of persons on class IV establishment, household servants and a small medical establishment.

2.1.10. The Governor is also the Chancellor of the State Universities in Uttar Pradesh and Chief Rector of the two Central Universities, viz., Aligarh Muslim University and Banaras Hindu University, Varanasi. Matters concerning them, in which orders are required to be passed by the Chancellor by virtue of the provisions of the various University Acts, are dealt with in the Governor's Secretariat. The Secretariat also looks after the tours, daily engagements, social and cultural activities of the Governor (and his wife), other house keeping functions, and also works as an administrative unit in charge of the budget relating to the Governor, his Secretariat staff and the three Raj Bhawans in the State at Lucknow, Allahabad and Naini Tal.

2.1.11. The Governor is also the Chairman and the Secretary to the Governor, the Honorary Secretary, of the U.P. Post-War Services Reconstruction Fund Trust. The Trust is a semi-Government institution in the sense that it has been formed from the funds provided by the Government of India, Ministry of Defence, for the welfare of ex-servicemen of World War II and their dependents. The Trust has its office in the Governor's Secretariat in Raj Bhawan, Lucknow. It has established an education-cum-training institution, known as Munshi Land Institute, at Sarojini Nagar, nine miles from Lucknow on Lucknow-Kanpur Road, under the charge of a Director.

## 2.2.—COUNCIL OF MINISTERS

2.2.1. Theoretically, the executive power of the State vests in the Governor, but in actual practice, this power is exercised by the Council of Ministers, a statutory body formed under Article 163 of the Constitution to aid and advise the Governor in the exercise of his functions. The Chief Minister is the head of the Council of Ministers and presides at its meetings. All Ministers of the State Government are members of the Council of Ministers. Apart from the Council of Ministers, there is an informal body known by the name of "the Cabinet", which comprises the Chief Minister and certain other Ministers. Sometimes Ministers of State are also appointed who, though members of the Council of Ministers, are not of Cabinet rank. The Chief Secretary to the Government is also Secretary to the Council of Ministers.

2.2.2. The business of the Government, including the business of the Council of Ministers, is transacted under statutory rules, known as the "Uttar Pradesh Rules of Business" framed under Article 166(3) of the Constitution. The Rules, last revised in 1955, indicate the types of cases which are to be submitted to the Council of Ministers for orders, the procedure for submission of cases to the Council and for holding its meetings. The meetings of the Council of Ministers are held in camera.

2.2.3. The Chief Minister is appointed by the Governor; the other Ministers are appointed by the Governor on the advice of the Chief Minister. When necessary, Deputy Ministers and Parliamentary Secretaries are also appointed by the Governor on the advice of the Chief Minister to assist Ministers. The Chief Minister is chosen by the Governor from the political party commanding a majority in the Legislative Assembly of the State. Under the Constitution, the Council of Ministers owes collective responsibility to the Legislative Assembly (Lower House) only and not to the Legislature (both Upper and Lower Houses). The Chief Minister is, therefore, the leader of the Lower House. The Chief Minister decides upon the allocation of portfolios of a Minister, Deputy Minister or a Parliamentary Secretary to a Minister. In short, the Chief Minister is the pivot of Government, guiding and controlling its policies and programmes.

2.2.4. The salaries and allowances of Ministers are governed by the provisions of the U.P. Ministers and Deputy Ministers (Salaries and Allowances) Act, 1952, and the U.P. State Legislature Officers, Ministers, Deputy Ministers, Parliamentary Secretaries and Members (Salaries and Allowances and Miscellaneous Provisions) Act, 1956, as amended by the Act VIII of 1961.

2.2.5. Each Minister is assisted in his day to day work by a small office consisting of his Personal Assistant and two or more stenographers and Assistants. The Chief Minister is further assisted by a



Secretary of the status of a Secretary to Government, who maintains a small office known as 'Office of Secretary to Chief Minister'.

2.2.6. The constitution of the Council of Ministers from 1947 to 1967 and the changes which took place from time to time were as below:

#### U.P. MINISTRY SINCE 1947

Year	Size of the cabinet	No. of Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries with distribution of portfolios amongst Ministers and/or Ministers of State.
1	2	3
1947	11	11 Ministers and 8 Parliamentary Secretaries.  Premier and Minister for General Administration, Minister for Communications, Minister for Education and Labour, Minister for Revenue & Justice, Minister for Agriculture & Animal Husbandry, Minister for Excise, Jails, Registration and Stamps, Minister for Local Self Government, Minister for Finance and Information, Minister for Health and Food & Civil Supplies, Minister for Police and Transport, Minister for Development and Industries.
1948	10	10 Ministers and 7 Parliamentary Secretaries. Portfolios of Finance and Information were included in the portfolio of Premier consequent upon the resignation of the Minister concerned.
1949	10	As above.
1950	10	10 Ministers and there were no Parliamentary Secretaries at the commencement of the Constitution. Five Parliamentary Secretaries were appointed subsequently.
1951	10	10 Ministers and four Parliamentary Secretaries.  Chief Minister and Minister for General Administration. Minister for Communication. Minister for Education and Police, Minister for Revenue and Transport, Minister for Excise, Jails, Registration, Stamps & Harijan Sahayak, Minister for L.S.G. Minister for Health and Civil Supplies. Minister for Agriculture, Animal Husbandry and Information. Minister for Justice & Labour, Minister for Industries and Co-operation.
1952	12	12 Ministers, 7 Deputy Ministers and 6 Parliamentary Secretaries.  Chief Minister and Minister for General Administration, Planning & Co-operation,

1	2	3
		Minister for Finance and Power, Minister for Home and Labour, Minister for Industries and Relief & Rehabilitation, Minister for P.W.D., Minister for Health & Civil Supplies, Minister for Revenue and Agriculture, Minister for Justice and Excise, Minister for Education and Harijan Sahayak, Minister for L.S.G., Minister for Information and Irrigation, Minister for Transport.
1953	12	12 Ministers, 7 Deputy Ministers and 6 Parliamentary Secretaries.  Chief Minister and Minister for General Administration, Planning & Co-operation, Minister for Finance and Power, Minister for Home and Labour, Minister for Industries and Relief & Rehabilitation, Minister for P.W.D., Minister for Health & Civil Supplies, Minister for Revenue and Agriculture, Minister for Justice and Excise, Minister for Education and Harijan Sahayak, Minister for L.S.G., Minister for Information and Irrigation, Minister for Transport.
1954	11	11 Ministers, 8 Deputy Ministers and 6 Parliamentary Secretaries.  Chief Minister and Minister for General Administration and Home, Minister for Finance, Power, Forests & Co-operation, Minister for Agriculture and Relief & Rehabilitation, Minister for Excise and Registration, Minister for Planning, Health, Industries & Civil Supplies, Minister for Revenue and Transport, Minister for Education and Harijan Sahayak, Minister for P.W.D., Minister for Justice and L.S.G., Minister for Information and Irrigation, Minister for Social Welfare.
1955	11	There was no change. Two more Deputy Ministers and one Parliamentary Secretary were appointed, thus raising the number of Deputy Ministers to 10 and Parliamentary Secretaries to seven.
1956		As above.
1957	10 Ministers of cabinet rank and 4 Ministers of State.	10 Ministers of Cabinet Rank, 4 Ministers of State, 7 Deputy Ministers and 9 Parliamentary Secretaries.  Chief Minister and Minister for Planning & General Administration, Minister for Finance, Industries and Power,



1

2

3

Minister for Health, Agriculture and Relief & Rehabilitation,  
 Minister for P.W.D.,  
 Minister for Revenue,  
 Minister for Justice, Food and Forests,  
 Minister for Home, Education and Information,  
 Minister for L.S.G.,  
 Minister for Labour, Social Welfare and Co-operation,

Ministers of State :

Harijan Sahayak ; Social Security ; Irrigation ; and Excise and Transport.

1958 8 Ministers, 3 Ministers of State. 8 Ministers of Cabinet Rank, 3 State Ministers, 5 Deputy Ministers and 4 Parliamentary Secretaries.

Chief Minister and Minister for General Administration,  
 Planning, Industries and Labour,  
 Minister for Health, Relief & Rehabilitation and Justice,  
 Minister for P.W.D.,  
 Minister for Revenue, Irrigation and Power,  
 Minister for Finance and Forests,  
 Minister for Home, Education, Harijan Welfare and Information,  
 Minister for L.S.G.,  
 Minister for Co-operation and Agriculture.

State Ministers : Excise and Transport,  
 Food & Civil Supplies,  
 Social Security and Social Welfare.

1959 7 Ministers, 3 Ministers of State. 7 Ministers, 3 Ministers of State, 11 Deputy Ministers and 6 Parliamentary Secretaries.

Chief Minister and Minister for General Administration,  
 Planning, Industries and Labour,  
 Minister for Health, R & R, Justice and Revenue,  
 Minister for Public Works, Irrigation and Power,  
 Minister for Finance and Forests,  
 Minister for Home, Education, Harijan Welfare and Information,  
 Minister for L.S.G.,  
 Minister for Co-operation and Agriculture.

State Ministers : Excise and Transport,  
 Food and Civil Supplies,  
 Social Security and Social Welfare.

1960 5 Ministers, 5 Ministers of State. 5 Ministers, 5 Ministers of State, 4 Deputy Ministers, 1 Honorary Parliamentary Secretary.

Chief Minister and Minister for General Administration,  
 Planning, Industries, Power, Information, Finance, Food and Civil Supplies, Health, Public Works, Harijan Welfare and Forests,  
 Minister for Justice, Revenue and R & R.,  
 Minister for Home and Agriculture,

1

2

3

Minister for Education and Social Welfare,  
Minister for Community Projects, Village and Small Scale  
Industries and Labour.

*State Ministers :* Cooperation,  
Transport,  
Irrigation,  
Excise, and  
L.S.G.

1961 7 Ministers, 7 Ministers, 11 Ministers of State, 9 Deputy Ministers,  
11 Ministers of State (8  
with cabinet  
rank).

Chief Minister and Minister for General Administration,  
Planning, Industries, Power and Medical,  
Minister for Justice and Revenue,  
Minister for Home and Agriculture,  
Minister for Education,  
Minister for Community Projects, Village and Small  
Scale Industries and Labour,  
Minister for Finance,  
Minister for Public Works.

*Ministers of State :* Co-operation & Parliamentary Affairs,  
Transport,  
Irrigation,  
Excise,  
Health,  
Economics & Statistics and Forests,  
L.S.G.,  
Social and Harijan Welfare,  
F. & C.S.,  
Information and  
R.&R.

1962 17 Ministers, 17 Ministers, 4 Ministers of State, 11 Deputy Ministers  
4 Ministers of State and 13 Parliamentary Secretaries.

Chief Minister and Minister for General Administration,  
Industries, Home, Medical and Power,  
Minister for Revenue and Scarcity,  
Minister for P.W.D.,  
Minister for Community Development, Panchayati Raj  
and Labour,  
Minister for Agriculture, Animal Husbandry and  
Fisheries,  
Minister for Finance,  
Minister for Planning and Prantiya Rakshak Dal,  
Minister for Education,  
Minister for L.S.G.,  
Minister for Transport and Political Pensions,  
Minister for Forests and Economics & Statistics,  
Minister for Co-operation,  
Minister for Food & Civil Supplies,  
Minister for Village and Small Scale Industries,  
Minister for Social and Harijan Welfare and Public  
Health.

1

2

3

*Ministers of State :*

Excise, Cultural Affairs and Scientific Research,  
Jails, Juvenile Delinquency and R. & R.,  
Marketing of Cane and Gur Development and Cane  
Development,  
Information and Parliamentary Affairs.

1933 15 Ministers 15 Ministers, 5 Deputy Ministers and 6 Honorary Parliamentary Secretaries.

Chief Minister & Minister for General Administration,  
Industries, Planning, Information and Economics &  
Statistics,  
Minister for Revenue,  
Minister for Irrigation and Power,  
Minister for Local Self Government & Forests,  
Minister for Justice,  
Minister for Home and Jails,  
Minister for Transport,  
Minister for Community Development and Panchayati  
Raj,  
Minister for Civil Supplies,  
Minister for Social Welfare, Cane Development, Scientific  
Research and Cultural Affairs, Relief and Rehabilitation,  
Minister for Medical, Public Health and Excise,  
Minister for Co-operation, Labour and Parliamentary  
Affairs,  
Minister for Education and Finance,  
Minister for Public Works,  
Minister for Agriculture, Animal Husbandry and Industries

1967 11 Ministers 11 Ministers and 2 Deputy Ministers.

March  
14

Chief Minister and Minister for General Administration  
Home, Planning, Information and Medical.  
Minister for Local Self Government.  
Minister for Industries, Community Development and  
Relief & Rehabilitation.  
Minister for Irrigation & Labour,  
Minister for Co-operation,  
Minister for Public Works & Civil Supplies,  
Minister for Agriculture,  
Minister for Excise & Forests,  
Minister for Education & Social Welfare,  
Minister for Finance & Transport,  
Minister for Justice & Revenue.

1967 16 Ministers 16 Ministers and 12 Deputy Ministers.

April  
3/7

Chief Minister and Minister for General Administration,  
Home & Planning.  
Deputy Chief Minister and Minister for Education & Social  
Welfare,  
Minister for Animal Husbandry & Forests,  
Minister for Agriculture and Community Development,

1

2

3

Minister for Food & Civil Supplies,  
 Minister for Industries & Labour,  
 Minister for Co-operation,  
 Minister for Revenue and Relief & Rehabilitation.  
 Minister for Irrigation & Power.  
 Minister for Finance.  
 Minister for Health,  
 Minister for Public Works,  
 Minister for Excise,  
 Minister for Justice & Information,  
 Minister for Transport,  
 Minister for Local Self Government.

**Note.**—On the resignation of Minister for Transport subsequently on July 10, 1967, the portfolio of Transport was taken over by the Chief Minister. The Minister for Excise resigned on September 2, 1967 and the portfolio of Excise (and Muslim Waqfs) was taken over by the Minister for Health on September 7, 1967. The Minister for Food & Civil Supplies and the Deputy Minister for Home also resigned on December 2, 1967. With effect from December 10, 1967, the portfolio of Transport (and Tourism) was allotted to the Deputy Chief Minister and Minister for Education and Social Welfare and that of Food & Civil Supplies to the Minister for Justice and Information.<sup>7</sup>

7. While the book was in the press, three Ministers, *viz.*, Minister for Industries and Labour, Minister for Finance and Minister for Public Works and two Deputy Ministers resigned further on January 5, 1968. Two new Ministers, one Deputy Minister and one Honorary Parliamentary Secretary were appointed on January 8, 1968. The strength of Ministers on that date was twelve along with ten Deputy Ministers and one Honorary Parliamentary Secretary.

**P.S.** Consequent upon the resignation of the Ministry and the inability of any political party to form a stable Government, a situation had arisen in which the Government of the State could not be carried on in accordance with the provisions of the Constitution of India. The rule of the President of India was, therefore, enforced in the State with effect from February 25, 1968. The President, by a Proclamation issued on that date, under Article 356 of the Constitution, assumed to himself all functions of the Government of the State and all powers vested in or exercisable by the Governor of the State; declared that the powers of the Legislature were, thenceforth, exercisable by or under the authority of Parliament and made other incidental and consequential provisions as were necessary for giving effect to the objects of the Proclamation. The Legislative Assembly was dissolved. The President also directed under another Order of the same date that all functions of the Government of the State and powers vested in or exercisable by the Governor, which were assumed by the President, were exercisable also by the Governor. The Governor, in exercise of the powers conferred on him by clause (1) of Article 154 of the Constitution read with the President's Order mentioned above, made the Uttar Pradesh Rules of Business, 1968 for the more convenient transaction of the business of the Government of the State by him or on his behalf. These Rules were designed to be effective only till the expiration of the President's rule. The Uttar Pradesh Rules of Business, 1955, referred to in paragraph 2.2.2 remained suspended during that period. The Governor also constituted an Advisory Council consisting of (i) the Administrative Members of the Board of Revenue (not the Judicial Members), (ii) the Chief Secretary to Government, (iii) all Secretaries to Government of the rank of Commissioner, (iv) the Secretary to Government in the Finance Department in case he was not included in (iii) above and (v) the Judicial Secretary and Legal Remembrancer to Government, to advise him in the discharge of his functions. Mid-term elections for the Legislative Assembly were arranged to be held in February, 1969.

2.2.7. The portfolios of the Ministers and subjects allocated to each, as on 1st August, 1967, were as follows:

Chief Minister and other Ministers.

<i>Portfolio</i>	<i>Departments or Subjects</i>
1. Chief Minister and Minister for General Administration, Home, Planning & Transport.	General Administration, Home, Civil Defence, Home Guards, Planning, Economics and Statistics, Transport.
2. Education and Social Welfare.	Education, Technical Education, Harijan and Social Welfare, Cultural Affairs and Scientific Research.
3. Animal Husbandry and Forests.	Animal Husbandry, Fisheries, Forests, Prince of Wales Zoological Garden, Lucknow.
4. Agriculture and Community Development.	Agriculture (including Cane Development), Community Development, Panchayati Raj.
5. Food and Civil Supplies.	Food and Civil Supplies.
6. Industries and Labour.	Industries, Labour.
7. Co-operation	Co-operation.
8. Revenue and Relief and Rehabilitation.	Revenue, Scarcity, Relief and Rehabilitation.
9. Irrigation and Power.	Irrigation, Power.
10. Finance.	Finance, Sales Tax, Registration, Stamps and Court Fees.
11. Health.	Medical and Health.
12. Public Works.	Public Works, Government Estate Office.
13. Excise.	Excise, Muslim Waqfs.
14. Justice and Information.	Judicial, Legislative, Information.

<i>Portfolio</i>	<i>Departments or subjects</i>
15. Local Self-Government.	Local Self-Government, Municipal, Housing, Shri Badrinath Temple Committee & Charitable Endowments.

#### Deputy Ministers

<i>Minister to whom allocated</i>	<i>Deputy Minister for</i>
1. Chief Minister.	Home (Police), Home (Jails), Civil Defence, Home Guard, Planning, Economics & Statistics.
2. Education & Social Welfare.	Education, Technical Education, Harijan & Social Welfare. Cultural Affairs and Scientific Research.
3. Animal Husbandry & Forests.	Animal Husbandry, Fisheries, Forests, Prince of Wales Zoological Garden, Lucknow.
4. Agriculture & Community Development.	Agriculture, Community Development,
5. —Ditto—	Cane Development, Panchayati Raj.
6. Food & Civil Supplies.	Food & Civil Supplies.
7. Industries & Labour.	Industries, Labour.
8. Co-operation.	Co-operation.
9. Revenue, Relief & Rehabilitation.	Revenue, Scarcity, Relief & Rehabilitation.
10. Irrigation & Power.	Irrigation & Power.
11. Health.	Medical & Health.
12. Local Self Government.	Local Self Government, Municipal, Housing.

## 2.3.—THE LEGISLATURE

2.3.1. The development of the legislative institution in the State has a close connection with the history of legislature in India. A digression into the growth of legislative functions under the British rule is therefore necessary. Lord North's Regulating Act of 1773 gave the British Parliament control over the affairs of the East India Company and prescribed a definite system of Government. A new office of Governor-General, with four Councillors to assist him, was created, and a Supreme Court of Judicature at Calcutta, independent of the Governor-General and his Council, was established. The Act authorised the Governor-General together with the Council to make rules, ordinances and regulations for the good order and civil government of Bengal. The Governor-General in Council was thus the single authority both in the executive and legislative fields. The Act had its shortcomings in the sense that the Governor-General was on occasions overruled by the Council and had to do things against his wishes. The Directors of the Company also defied the Parliament in many matters. Pitt reformed the Constitution and by the Act of 1784, which is known after the name of its author as the Pitt's Act, a sharp line of demarcation was drawn between political affairs and commercial business transactions. The latter remained with the Company, and the former were transferred to a Board of Control and in this way Parliament became the practical ruler of the British territories in India. The Governor-General was given the constitutional right to over-rule his council in matters where it was considered expedient. The Charter Act of 1813 later asserted that the Company and the Crown were joint possessors of the British territories in India. For another twenty years the Councils continued to make regulations, and in so doing constantly added to the complexity of the legal system which the courts were expected to interpret.

2.3.2. The Charter Act of 1833 declared that the Company held its possessions in India in trust for the Crown. It aimed at "simplifying the legislative machinery and also, at correcting the errors of the past". 'Indian Law Commissioners were established and the work of regulating the courts and codifying the penal and procedural law was undertaken'. A Law Member was added to the Council whose duties were confined to legislation. The Council thus also became a "rudimentary legislature". Then came the Act of 1853 which deprived the Company of the right of patronage, that is, the right to appoint its own servants. The Governor-General's Council now included six legislative members, and the Act gave the Governor-General's Council power to enact laws for the whole of British India. Included in the Council was also an official appointed by the provincial Government of Agra, as one of the legislative members. The proceedings of the legislative sessions were public.

2.3.3. The Indian War of Independence of 1857 finally swept away the greatest commercial and political company in the world's history. By the Act of 1858 the administration of India was transferred



from the Company to Parliament which, in the name of the British Crown, ruled India through the Secretary of State for India who was directly responsible to Parliament. The Company ceased to exist.

2.3.4. Up to 1861, legislation was entirely in the hands of British officials. After the transfer of administration from the Company to the Crown, the Legislative Council was reconstituted by the Indian Councils Act of 1861. The number of additional members was increased from six to twelve and half of these were to be non-officials. Some of these new seats were given to Indians, and it was, therefore, from 1861 that an Indian element took part in the making of laws for India. It was the beginning of the 'Portfolio' system in which the individual Member had responsibility for specific subjects. The Governor-General was also empowered to establish such a Council for the North Western Provinces and it actually came into being in 1886. The Council had no other function than that of legislation. The non-official members were of course nominated, and it was not until thirty years later that some use was made of the method of election.

2.3.5. The Indian Councils Act, 1892 made a limited and indirect provision for the use of the method of election in filling up some of the non-official seats, both on the provincial councils as well as on the Indian Legislative Council over which the Governor-General presided. These were, as a matter of fact, nominations made on the recommendation of certain bodies such as municipalities and district boards. The functions of the provincial council in which the number of Members was fifteen, were enlarged to the extent of discussing (though not of voting upon) the annual budget already settled by the executive government. The members were also given the right of addressing questions to the Executive. There was still an official majority in the Councils and therefore it constituted no approach to a parliamentary system.

2.3.6. The Morley-Minto Reforms, which were the outcome of nationalist movement in the country, were embodied in the Indian Council Act, 1909 and represented a considerable advance in India's constitutional history. The official majority in provincial legislative councils was abandoned; the size of these bodies was enlarged up to a maximum of 50 additional members in the large provinces and 30 in the smaller. The greater part of these additional members were non-officials who were elected either by groups of local authorities, large landholders, trade associations or universities. The Councils could discuss the budgets at length and propose resolutions on it. They could discuss any matter of general public importance and send resolutions to the executive Government, which if not found consistent with the public interest, could be disallowed by the head of the Government acting as President of the Council. The right to ask questions was extended by allowing the members who asked the original question also to put a supplementary one. This reluctant concession to democratic principles was obviously very ineffective and representation on the basis of direct or general franchise was purposely avoided. Except in the constituencies composed of the members of some special class or



communities, there was nothing like any real connection between the primary voter and the member in the Council. Separate electorates for the Muslims were introduced for the first time. The seeds of controversy between Hindus and Muslims thus sown ultimately led to the creation of the separate Muslim State of Pakistan.

2.3.7. The Montagu-Chelmsford Reforms of 1919, which were put into effect through the Government of India Act, 1919, were an important step in the direction of gradual development of self-governing institutions. The new Act provided for the Province a unicameral and triennial legislature called a Legislative Council, which was set up at Lucknow in 1921. The Act provided that at least 70 per cent. of the members were to be elected members and that not more than 20 per cent. were to be official members. The Council was composed of 123 members, 100 of which were elected, 16 were nominated officials, five were nominated non-officials and the remaining two were Executive Councillors. The franchise was broad, but it covered only about one-tenth of the adult male population and normal qualification for the vote was, apart from residence, payment of revenue, or local rates in rural areas or municipal rates in urban areas. All payers of income tax and all retired, pensioned or discharged officers or men of regular forces were also enfranchised. The Electoral Rules did not admit women's suffrage, but Legislative Councils could remove sex barriers themselves, and this was done here also. The communal electorates continued much against popular feeling and there were reservation for depressed classes, Anglo-Indians and Christians, and there were special constituencies for land holders, Universities, Commerce and Industry.

2.3.8. By these reforms 'dyarchy' was introduced in the province. Under this system<sup>8</sup> certain subjects such as education, agriculture, health, local bodies were allotted to ministers responsible to the provincial legislative council and were known as "transferred subjects". Important subjects such as law and order, finance, justice and the Services, known as "reserved subjects", were allotted to the members of the Governor's Executive Council owning no responsibility to the legislature. Bills passed by the provincial legislature required the assent not only of the Governor, but of the Governor-General. So far as the "transferred" half was concerned the Governor was guided by the advice of his Ministers unless he saw sufficient cause to dissent from their opinion.

2.3.9. The new constitution could not satisfy the nationalists opinion, and it was enforced at a time when the non-co-operation movement was gaining strength. The followers of the movement refrained from entering the new Legislative Council. There was general disappointment with these "reforms" and the protracted agitation launched against them and the contemporary policy of the Government resulted in the appointment of the Indian Statutory Commission (Simon Commission) to report whether India was fit for a further

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8. For details of the system, see Chapter 2.1 on the Governor and the Executive Government and Chapter 4 on Financial Organization.

grant of responsible self-government. The recommendation of this Commission emerged ultimately in the shape of the Government of India Act, 1935, by which India was proposed to be made a federation of the Provinces and Princely states, (though none of those States joined it, as contemplated), and autonomy was proposed for the provinces. The provincial part of the Act came into operation from April 1, 1937. The provincial legislature consisted of two "Chambers", one known as the Legislative Assembly was a wholly elected body while the other, known as the Legislative Council, was partly elected and partly nominated. The administration was to be conducted by ministers responsible to the Legislative Assembly, but the Governor had certain discretionary powers, which he could exercise independent of the advice of the ministers.

2.3.10. The introduction of provincial autonomy was a step in the direction of establishing the parliamentary form of government under which the executive authority was to be exercised by a set of ministers belonging to the party commanding a majority in the legislature. The Act provided for the Governor to invite the leader of the majority party to form a ministry. The leader became the Premier or Chief Minister and the remaining Ministers who were appointed by the Governor on the advice of the Chief Minister, formed together the Council of Ministers.

2.3.11. The U.P. Legislative Assembly consisted of 228 members. The electoral system was based on the principle of communities, classes and interests. To the existing separate communal and class electorates, special electorates for labour and women were added for the first time. The distribution of seats was as follows: General—140 (including 20 seats for Scheduled Castes), Muslims—64, Europeans—2, Indian Christians—2, Anglo-Indians—1, Commerce and Industry—3, Land holders—6, University—1, Labour—3 and women—6 (4 Hindus and 2 Muslims). The Assembly had a life of five years but the Governor could dissolve it at any time before the expiry of that period. It elected its own Speaker and Deputy Speaker. The Legislative Council was smaller in size than the Assembly and consisted of 60 members, allocated as follows: General—34, Muslims—17, Europeans—1, nominated—8. The franchise was limited and restricted to propertied class. It elected its President and Deputy President. It was a permanent body not subject to dissolution, in the manner the Assembly was, and members were elected for nine years, one-third retiring every three years. This Chamber had equal powers with the Legislative Assembly except that money Bills could not originate there and that it had no say in the matter of grants. Joint sittings of the two Chambers for the purpose of deliberating and voting on disputed Bills could be held.

2.3.12. This Act contained three lists, viz., the Federal List, the Provincial List and the Concurrent List which demarcated the administrative, legislative and financial authority for the Centre and the provinces. Provincial Government could deal with the subjects in Provincial List without interference of the Centre under normal con-

ditions, while in the Concurrent List, both were competent to deal but in case of conflict, the federal law was to prevail unless the provincial law had been reserved for consideration and assented to by the Governor-General.

2.3.13. In the legislative field the Governor's power related to the summoning and prorogation of the Legislature, giving sanctions to the introduction of certain categories of Bills in the legislature, prevention of further consideration of any Bill or clause thereof, assenting, vetoing and reserving for the Governor-General's consideration Bills passed by the Legislature and promulgating ordinances and enacting Governor's Acts. As many of these powers were in conflict with the principles of full autonomy, it was with reluctance that the Congress, which was the party in majority in the Province, accepted to take office, but it could not work for long even under those conditions. On the outbreak of World War II on September 3, 1939, the Governor-General declared India to be in a state of war against Germany without informing or consulting the representatives of her people in the Central or Provincial Legislatures. The Congress ultimately relinquished office in November that year, when under Section 93 of the Act, the Legislature was dissolved, the Council of Ministers was dismissed and the Governor took into his own hands all the powers in the provincial field, except those of the High Court. A completely bureaucratic regime with Advisers to Governor was set up.

2.3.14. In 1945, after the war, the Labour Party came to power in Britain and decided upon a fresh approach towards the Indian problems. General elections to the Central and Provincial Legislatures were held again under the provisions of the Government of India Act, 1935 and the Provincial Legislature again started functioning from April 1, 1946. In the meanwhile the British Government recognized India's right to complete independence, and at the Centre, a Constituent Assembly was set up, which was followed by an Interim Government consisting of the accredited representatives of the major parties. The communal situation steadily deteriorated and amidst a holocaust of bloodshed the British Government announced its momentous decision to withdraw from India. The British Parliament passed the Indian Independence Act, 1947, by which India became a self-governing dominion from August 15, 1947. It was then free to frame its own Constitution, but in the interregnum, the Government of India Act, 1935, subject to certain modifications and adaptations, was to remain the constitutional law of India. The separation implanted by the framers of earlier constitutions, resulted in the demand for a separate Muslim State of Pakistan and the new set up brought into being the separate Dominion of Pakistan. The Ministers at the Centre became entirely responsible to the Indian legislature with the Governor-General as the constitutional head. The responsibility of the British Parliament for the governance of India lapsed and virtual sovereignty was passed on to the Indian people. India, however, remained within the British Commonwealth of Nations. In the Provinces, the administration was entirely in the

hands of Ministers so far as Provincial subjects were concerned. In these matters there was no interference from the Centre.

2.3.15. The republican Constitution of India framed by the Indian Constituent Assembly, made India a sovereign democratic republic as from January 26, 1950. The President of India became the constitutional head of the State with ministers wholly responsible to Indian Parliament. Under the Constitution, India is a federal state, with a clear cut division of subjects between the Centre and the States (former provinces) under the "Union List", the "State List" and the "Concurrent List". Subjects like foreign policy, defence, railways, posts and telegraphs are reserved for the Centre, while subjects falling within the "State list" are the concern of the respective States owning responsibility to their own legislatures, subject to the proviso that the Parliament can encroach on these rights only to the extent as may be expedient or necessary in the national interest. In subjects on the Concurrent List, the State Laws are considered invalid to the extent they are repugnant to the Union Law. The executive authority vests formally in the Governor, who has extensive executive, legislative, financial and judicial powers but he is a constitutional head and almost always acts on the advice of his Ministers.

2.3.16. Under the Constitution of India, the State has a bicameral legislature. The lower house known as the Legislative Assembly (Vidhan Sabha) is the popular house elected directly on the basis of adult franchise and joint electorates.<sup>9</sup> The party in majority forms the Government and functions in the executive field through the Council of Ministers, which is collectively responsible to the House. The Assembly is composed of 425 elected members,<sup>10</sup> (out of which 89 are members of Scheduled Castes against seats reserved for them in terms of Article 332 of the Constitution) and one nominated member—Anglo-Indian—in terms of Article 333. The term of the Legislative Assembly is usually five years. The upper house known as the Legislative Council (Vidhan Parishad) consists of indirectly elected and nominated members and is 'designed to be merely a deliberating and ventilating chamber'. It is a permanent house; members are elected for six years and one-third of them retire every second year. The present membership is 108<sup>11</sup> of which about one-third are elected by members of local bodies (39), one-twelfth are elected by University graduates of not less than three years' standing (9); one-twelfth are elected from amongst teachers (9), about one-third are elected by the members of the Legislative Assembly from amongst persons who are not members of the Assembly (39) and the remaining (12) are nominated by the Governor from amongst persons possessing special knowledge or practical experience in literature, science, art, co-operative movement and social service. Elections to

9. Under the Representation of the People Acts of 1950 and 1951.

10. Since March, 1967. Formerly, it was composed of 430 elected members.

11. Increased under Section 10 of the Legislative Councils Act, 1957, from 72 as originally fixed.

the Council are according to the system of proportional representation by means of the single transferable vote.

2.3.17. At the commencement of the first session after each general election to the Assembly and at the commencement of the first session of each year, the Governor addresses both the Houses of the Legislature assembled together and informs the Legislature of the causes of its summons. Both the Houses are summoned by the Governor from time to time.

2.3.18. Every member of the Legislature, before he takes his seat in the House, makes and subscribes an oath or affirmation of faith and allegiance to the Constitution of India. The Lower House elects its Speaker and Deputy Speaker and the Upper House its Chairman and Deputy Chairman to preside over and conduct the deliberations of the Houses. Each House of the State Legislature has separate secretarial staff, except that the Secretary to Legislature serves both the Houses. The business of both the Houses of Legislature is transacted in the Hindi language written in Devnagri script.<sup>12</sup>

2.3.19. The Houses of the Legislature have Standing Committees to advise the Ministers. Members are elected to these Committees from both the Houses through the system of single transferable vote. In all, there are twenty-five Standing Committees on different subjects, viz., General Administration, Public Works, Irrigation, Electricity, Education, Labour, Forest, Revenue, Judicial and Legislative Affairs, Agriculture and Animal Husbandry, Excise, Jails, Medical and Public Health, Local Self Government Institutions, Information, Civil Supplies, Police, Transport, Industries, Planning and Development, Co-operative, Social Welfare, Harijan Affairs, Refugees and National Employment Service. To each of these Committees, sixteen members are elected from the Lower House and four from the Upper House. The Minister-in-charge of the subject, the Deputy Minister and Parliamentary Secretaries are *ex-officio* Members of the committees relating to their subjects. The Minister normally acts as the Chairman and nominates a Secretary to the Committee. The term of the office of the members extends to the close of the financial year for which they are elected, members being eligible for re-election. Ordinarily, the following matters are placed before the Standing Committees:

- (a) All non-official bills and proposals which are introduced or are proposed to be introduced in the Legislature and such legislative proposals on which the department concerned proposes to take action.
- (b) Reports of Committees and Commissions (excluding unpublished reports of departmental committees).

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12. For legislative procedures in the matters of Bills, including Money Bills, procedure in financial matters and the general rules of procedure of the Houses of Legislature, readers are advised to refer to the original text in Part VI of the Constitution of India.



- (c) Important questions of general policy and important schemes on which the Minister-in-charge may like to obtain advice.
- (d) Annual Reports.
- (e) Any question of public importance within the purview of the Committee which a member may like to put up for consideration with the permission of the Minister-in-charge.

The Minister-in-charge has a right not to consult the Committee in cases of extreme urgency. The subjects falling outside the purview of these Committees are personal matters concerning appointments, transfers of officers and employees or those affecting discipline, and all such matters which the Minister-in-charge may in the public interest consider inexpedient to refer to the Committee. The Standing Committees are advisory in character and their proceedings are confidential. Meetings of the Committees are not open to the Press. Generally, meetings are called at least twice a year or thrice if possible on dates fixed by the Minister concerned.

2.3.20. The Legislative Assembly Secretariat consists of a Secretary, Legislative Assembly, one Assistant Secretary, one Assistant Secretary (Questions), a Committee Officer, three Superintendents of Departments, a Librarian of the Legislature Library and a Personal Assistant to the Speaker, along with the necessary staff. It maintains a good library which caters to the Members of both the Houses of Legislature.

2.3.21. The business in the Legislative Assembly is conducted in accordance with the "Rules of Procedure and Conduct of Business of the U.P. Legislative Assembly, 1958", which provides for summons to Members and seating arrangements; election of Speaker, Deputy Speaker and nomination of panel of Presiding Members; sittings of Assembly and adjournments, Governor's address and message, arrangement of business, questions, calling attention to and discussion on matters of urgent public importance, breach of privileges and contempt, resolutions and motions, legislation, procedure in financial matters, procedure for committees, no confidence motions and other general rules of business. The Committees of the House are Business Advisory Committee, Committee on Public Accounts, Committee on Estimates, Committee on Government Assurances, Committee on Petitions, Committee on Delegated Legislation, Rules Revision Committee, Select Committee, Joint Select Committee, Committee on Privileges, Committee on Offices of Profit, Accommodation Advisory Committee, Legal Committee and Library Committee.

2.3.22. The Legislative Assembly Secretariat consists of Parliamentary and Questions Department, Proceedings Department and Accounts and Establishment Department. Further particulars in respect of these departments are as follows:—

(1) *Parliamentary and Questions Department*

This Department deals with (i) work relating to Legislation, which includes moving of Bills in the House, questions regarding their admissibility, clausewise consideration of Bills and amendments, competence of the State Legislature to deal with private Bills, non-official business, admissibility of Resolutions, Ordinances, adjournment motions, Procedural Instruments issued by the Speaker, Call Attention notices, presentation of Budget, cut motions and their admissibility, Agenda of the House during sessions, suspension of Members, Hand Book for Members and Questions, and (ii) with all the Committees of the Legislative Assembly mentioned earlier except the Committee on Government Assurances and the Library Committee.

(2) *Proceedings Department*

This Department arranges for verbatim reporting of the day's proceedings during Sessions and for their publication, printing and distribution of the *resume* of daily business of the House as also of Rulings from the Chair; it deals also with work concerning the Committee on Government Assurances. Assurances given by the Ministers in the House are sorted out and pursued till they are fulfilled.

(3) *Accounts and Establishment Department*

It looks after the staff of the Legislative Assembly Secretariat and the general house keeping functions, including the Members' salary and travelling allowance bills.

2.3.23. The Legislative Council Secretariat consists of a Secretary, Legislative Council, a Superintendent of office, and a Personal Assistant to the Chairman along with necessary staff. The business in the Legislative Council is conducted in accordance with the "Rules of Procedure and Conduct of Business of the U.P. Legislative Council, 1956", which follow the lines of rules for the Legislative Assembly. The Committees of this House are Rules Revision Committee, Committee of Privileges, Business Advisory Committee, Committee on Petition and a Committee of Assurances.

## 2.4.—THE SECRETARIAT

2.4.1. When a Lieutenant-Governor was appointed in 1801 at Bareilly he was allowed a Secretary and some clerks. Subsequently another Secretary was appointed in 1834 or thereabouts but not without some initial opposition from the Supreme Government of Calcutta. Much of the local records of Agra were destroyed in a fire which broke out in 1882 in Allahabad and there is very little material available on the early organization of the Secretariat. The earliest proceedings which are available and which originally were maintained at Fort William at Calcutta, are for the years 1836 and 1837. They relate to Foreign and Home Departments of the East India Company. By 1860, the following departments had come into existence in the Secretariat: Revenue, General, Political, Judicial (Criminal), Judicial (Civil), Police, Financial and Separate Revenue (Assessed taxes, income-tax, licence taxes, excise and stamps). In course of time the following additional departments were created: Scarcity, Educational, Sanitation, Medical, Revenue (Forest), Municipal, Infanticide, Appointment, Local Self-Government, Legislative and Miscellaneous. The Lieutenant-Governor used to spend a portion of each year in the hills at Naini Tal and also used to move about the Province with his staff in the cold weather. The Secretariat office was accordingly divided into two branches,—Head Office at Allahabad and the Camp Office which followed the Lieutenant-Governor's progress through the Provinces.

2.4.2. The first reorganization of the State Secretariat was undertaken in 1883 and some of the important changes made in the two following years were that two additional Secretaries, designated as Financial Secretary and Judicial Secretary were added to relieve the Chief Secretary of his excessive work. The distribution of departments under each was as follows:

- (i) Chief Secretary : Revenue (including Scarcity), Political, General (including Appointment) and Education.
- (ii) Financial Secretary : Financial, Local Self-Government, Municipal, Medical and Sanitation, Separate Revenue.
- (iii) Judicial Secretary : Judicial (Civil), Judicial (Criminal), Police, Infanticide, Oudh Revenue and Revenue (Forest).

In addition, Chief Engineer, Irrigation, and Chief Engineer, Buildings and Roads Branches, of the Public Works Department also functioned as Secretaries. Office work was divided in routine, *e.g.*, maintenance of registers and copying and work of higher importance, *e.g.* making of precis, and preparing drafts. Office establishment was accordingly divided into lower and upper sections. Before 1884 all correspondence was kept in weekly and monthly bundles folded and



tied up between wooden pallets. This arrangement worked satisfactorily as long as correspondence was limited and references were not required to be made frequently but with increase in correspondence and multiplicity of subjects and cases, it was decided to introduce subject files. The departments were made self-contained under the charge of Superintendents for all stages of work connected with records, drafts and issues, etc. Much of the present day Secretariat system is based on that reorganization. A system of printing of Government proceedings was evolved so that duplicates of files could be available for reference at the Camp Office at Naini Tal during the Lieutenant-Governor's stay there. Registrars were appointed in 1897, one for each Secretary's Branch, for general supervision and overall control on the work and staff of the departments under each Secretary. A 'Manual of Office Procedure of the Civil Secretariat, United Provinces of Agra and Oudh' was also published in 1903.

2.4.3. When the 'Reforms' under the Government of India Act, 1919, were introduced in January, 1921, the transfer of numerous subjects, such as Agriculture, Co-operative Societies, Local Self Government, Public Health, Medical, Excise, etc. to the 'provincial' sphere under the Devolution Rules and the expansion of the Legislature, intensified the Secretariat organization too, which needed expansion. A reorganization was undertaken in which the number of Secretaries was increased to six. It was felt that a "permanent officer of responsibility who knows the contents of all files and as a repository of departmental traditions and standards" and who could deal with routine cases of all kinds and also could afford relief to his superior officers, was needed. The Registrars were, therefore, replaced by Assistant Secretaries. Due, however, to the financial stringency, this reorganization was short-lived. Important changes enforced were that the post of Judicial Secretary was abolished.<sup>13</sup> The Education Department of the Secretariat was amalgamated with the office of the Director of Public Instructions (later known as Director of Education) and the Director was appointed as *ex-officio* Deputy Secretary, Education Department.<sup>14</sup> Executive functions of the Board of Revenue were also transferred to the Secretariat.<sup>15</sup> The number of posts of Assistant Secretaries were also drastically reduced. A regrouping of departments into Branches, which took effect from April 1, 1923, was made, and except for the General Branch which was under Chief Secretary and the Executive Branch which was looked after by an Assistant Secretary under the direct control of Chief Secretary, other Branches were known by the designation of their Secretaries, as follows:

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13. It was again created in 1928.

14. The old order of separate offices was restored in 1939-40 and the Director of Public Instructions ceased to be *ex-officio* Deputy Secretary in April, 1939.

15. They were transferred back to the Board of Revenue in 1932.

<i>Branch</i>	<i>Departments</i>
1. General	Appointment, General, Political and Police.
2. Revenue and Judicial	Revenue, Scarcity, Forest, Ecclesiastical, Judicial, Jails, Legislative and Government Press.
3. Education and Industries	Education, Industries, Agriculture, Civil Veterinary and Co-operative Societies.
4. Local Self-Government and Public Health	Local Self-Government, Medical, Public Health, Lunatic Asylums, Registration and Nazul.
5. Finance	Finance, Opium, Excise, Income Tax, Customs, Salt and Stamps.
6. Executive	Secretariat Establishment and Accounts, Library, Record Room, Issue Section and General Executive duties.

A revised "Secretariat Manual", which contained comprehensive instructions on office organization, discipline and office procedure, was brought out in 1925.<sup>16</sup>

2.4.4. The Governor had since then made Lucknow his residence—more because the Legislative Council was established there in 1921. The departments of the Secretariat had also started shifting to Lucknow gradually, and on the recommendations of the Panna Lal—Macleod Committee appointed in 1932 to suggest ways and means of securing efficiency and economy in expenditure on the Secretariat, the exodus was completed by 1935. The institution of 'Camp Office' also came to a close. The Irrigation and the Buildings and Roads Branches<sup>17</sup> of the Public Works Department continued to be separate entities and as Finance was a 'reserved' subject under the 'Reforms', it was also made a separate unit in the Secretariat.<sup>18</sup> The staff working in these units was placed under the control of the respective Secretaries. Consequent on the changes introduced by the Government of India Act, 1935, in the shape of gradual devolution of administration from the Government of India to the State Government there was further expansion of the Secretariat. Rules of Executive Business were framed in 1937 for the transaction of business under the new constitution. Numerous new departments were added and the existing departments were split into many sections, thereby increasing the number of Secretaries, other officers and staff to handle the increased

16. The Secretariat Manual was last revised in 1953. Most of its provisions now need change and it is under revision.

17. The combined post of Secretary to Government-cum-Chief Engineer, Buildings and Roads, was split into two separate posts in May, 1927—see Chapter 10.1 on Public Works Department.

The combined post of Secretary to Government-cum-Chief Engineer, Irrigation, continued till 1938 only—see Chapter 10.2 on Irrigation Department.

18. See Chapter 4.2 on Finance Department at the Secretariat.

responsibilities. The World War II also had its share in expanding the Secretariat. On December 5, 1938, those parts of the Irrigation and the Buildings and Roads Branches which functioned as the Secretariat were amalgamated into one office, called the Public Works Secretariat under a non-technical Secretary to Government, and the Chief Engineers were left with functions of Heads of Departments only. The Secretariat, thus consisted of three distinct units: Finance Secretariat, Public Works Secretariat and the rest known as General Secretariat. The establishment of the non-gazetted ministerial staff in the General Secretariat was further decentralized and placed under control of various Secretaries in 1951 on the recommendations contained in the Gopalakrishnan Report of 1950.<sup>19</sup> Nevertheless the anachronism of keeping the three Units as separate entities under the changed constitution continued until 1957 when these were merged into one composite unit.<sup>20</sup> An important step taken earlier was to appoint in 1947 a Reorganization Officer<sup>21</sup> to report after thorough investigation into the working of the departments, their needs and availability of staff in the interest of efficiency of the Secretariat. The recommendations did not result in any major reorganization except that the office of Legal Remembrancer to Government was combined with the Judicial Department of the Secretariat and requirements of staff were precisely worked out.

2.4.5. After Independence, the State took on itself the paramount task of the development of its economic resources. Phenomenal growth of the Secretariat and the field departments took place on this account. The Secretariat work is distributed amongst the following forty-eight departments which, except for a few, are subdivided into two or more sections:

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|---|-------------------------------|
| 1. Appointment                              | 9. Secretariat Administration |
| 2. Confidential                             | 10. Petitions                 |
| 3. Vigilance                                | 11. Finance                   |
| 4. Civil Defence                            | 12. Public Works              |
| 5. Cultural Affairs and Scientific Research | 13. Irrigation                |
| 6. General Administration                   | 14. Power                     |
| 7. General Administration (Reorganization)  | 15. Agriculture               |
| 8. Language                                 |                               |

19. Sri P. A. Gopalakrishnan, ICS, was Commissioner for Finance and Reorganization, U.P. at that time. His other important recommendation was for greater delegation of financial and administrative powers to field officers.

20. This was done on the recommendations of Sri K. K. Dass, ICS, then Commissioner for Reorganization and Secretary, General Administration Department. For fuller details see Chapter 3.2 on Secretariat Administration Department.

21. The officer appointed was Shri V. C. Sharma, then Deputy Secretary to Government, Secretariat Administration Department.

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| 16. Animal Husbandry and Fisheries    | 33. Housing                                    |
| 17. Forests                           | 34. Industries                                 |
| 18. Co-operative and Cane Development | 35. Excise                                     |
| 19. Home (Police)                     | 36. Information                                |
| 20. Home (Jails)                      | 37. Relief and Rehabilitation                  |
| 21. Home (General)                    | 38. Panchayati Raj                             |
| 22. Judicial                          | 39. Community Development                      |
| 23. Legislative                       | 40. Planning                                   |
| 24. Elections                         | 41. Labour                                     |
| 25. Revenue                           | 42. Transport                                  |
| 26. Revenue (Scarcity)                | 43. Medical                                    |
| 27. Education                         | 44. Public Health                              |
| 28. Technical Education               | 45. Food and Civil Supplies                    |
| 29. Harijan Sahayak                   | 46. Rent Control                               |
| 30. Social Welfare                    | 47. Border Development                         |
| 31. Municipal                         | 48. National Integration<br>(since July, 1968) |
| 32. Local Self Government             |  |

2.4.6. The names of various departments, their sections and the subjects dealt with in each, are given in the Business of Uttar Pradesh (Allocation) Rules, 1958. A Department or its section is under the charge of a Superintendent (except in a few cases in which they are in charge of an Assistant Superintendent) for general supervision, arrangement and distribution of work amongst the office staff.

2.4.7. Each Secretary is responsible for the proper functioning of the Secretariat Department(s) under his charge and is responsible to the Minister for carrying out the orders of the Cabinet and of the Minister in charge. He is assisted in his work, as necessary, by Additional Secretaries, Joint Secretaries, Deputy Secretaries, Under Secretaries, Assistant Secretaries and Officers on Special Duty, whose number varies according to the size of the department(s) under a Secretary. Special Secretaries with powers and status of a Secretary were also posted recently in certain departments where the work justified it.

2.4.8. The departments under each Secretary were until recently so grouped as to constitute a Branch on the system introduced in 1923, but of late there has been no fixity in the grouping of departments to form branches attached to a particular Secretary and inter-branch reshuffling has been frequent.

2.4.9. Under the Rules of Business framed under the Constitution of India, the responsibility for disposal of work in the depart-

ment rests with the Minister who, collectively through the Cabinet, is responsible to the Legislative Assembly. Accordingly, it is only in matters of routine that orders are passed without reference to the Minister in charge. These routine cases also include cases in which orders are to be issued in accordance with the definite specified policy of the Government or which follow any general orders passed by the Cabinet or the Minister in charge in a similar case or class of cases. Cases which are dealt with in accordance with the rules and regulations also come under this category unless they involve any special feature. A Minister is, however, kept in touch with all cases disposed of by Secretaries and under officers in his portfolio. Cases, which require the orders of the Cabinet are first seen by the Minister in charge before they are laid before the Cabinet with an explanatory note, approved by the Minister and subsequently by the Chief Minister.

2.4.10. Most of the departments of the Secretariat have 'heads of departments' and 'principal heads of offices'<sup>22</sup> under their administrative control, who act as the executive authorities of the Government. A list appended to this Section shows the Secretaries, Departments, their executive authorities and Ministers-in-charge. There is one Liaison Officer<sup>23</sup> to the Government of Uttar Pradesh at Delhi to follow up and expedite various matters connected with development plans needing clearance from the Government of India.

2.4.11. Orders which take the form of formal sanctions are issued over the signature of a Secretary or a subsidiary Secretary, which includes officers down to the level of Assistant Secretary, or such other officers as are authorized to authenticate the orders of Government under the Rules of Business. Under Article 166 of the Constitution of India, these orders are expressed as being issued in the name of the Governor. All references from the Government, therefore, carry the authority of the Government and are treated as such irrespective of the position of the officer who has authenticated a particular order. Letters going from Government to heads of departments and other subordinate authorities are generally and briefly called 'G.Os' (Government Orders), but letters addressed to the Government of India and other State Governments, the High Court, the Public Service Commission, the Accountant General and similar more or less independent authorities are not described as 'G.Os' but simply as 'letters'.

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22. See also Chapter 3.4 on Classification of Services, Heads of Departments and Heads of Offices.

23. See Paragraph 9 of Chapter 10.2 on Irrigation Department.

Officers and Staff in the Secretariat in various years<sup>24</sup>

	1921	1931	1938	1947	1954	1960	1965	1966
1. Chief Secretary	1	1	1	1	1	1	1	1
2. Secretaries	7	7	7	10	12	16	21 (including Special Secretaries)	17 (including Special Secretaries)
3. Subsidiary Secretaries	17	17	15	37	70	100	114	108
4. Other Officers	...	9	12	29	6	11	28	43
5. Superintendents	25	24	29	42	75	76	122	123
6. Personal Assistants to Ministers	...	...	...	...	...	11	15	16
Total	50	58	64	119	164	215	301	308
7. Assistant Superintendents							129	
8. Upper Division Assistants (including Accountants, Treasurers, Translators, etc.)							904	
9. Stenographers							192	2381
10. Reference Clerks							210	
11. Lower Division Assistants							710	
12. Typists							196	
13. Junior Grade Clerks and other miscellaneous staff							40	
14. Class IV servants							840	864
Grand Total				674	794	840	3522	3713

<sup>24</sup> Figures for the period from 1938 to 1960 are based on the Report of the Estimates Committee of the Legislative Assembly for 1961-62.

**List showing Secretaries to Government, Departments of the Secretariat, Executive Authorities concerned and Ministers-in-charge**

(Referred to in paragraph 2.4.10)

*(More than one Department are usually grouped under one Secretary to Government. As changes are quite frequent, the groupings are not indicated in the List).*

<i>Secretary</i>	<i>Secretariat Department</i>	<i>Corresponding Head of Department</i>	<i>Corresponding Principal Head of Office</i>	<i>Minister Incharge</i>
1	2	3	4	5
Chief Secretary	General Administration Department.	Commissioner, Lucknow Division (for Wasika Office, Lucknow).  Commissioner, Varanasi Division (for Agency Office, Varanasi).	Commissioner, Entertainment & Betting Tax, U.P., Lucknow.	Chief Minister
Chief Secretary	General Admin. Department (Reorganization).		Chief Inspector of Government Offices, U.P., Allahabad.	"
Chief Secretary (Secretary, Home, Jails, Appointment, Confidential and Vigilance).	Appointment (A) Department.  Appointment (B) Department.	Commissioners of Divisions.  Chairman, Public Service Commission, U.P., Allahabad.	District Magistrates.	" " "

25. The charge of Jails Department was placed under another Secretary with effect from January 1, 1968, who held it in addition to his duties as Secretary to Chief Minister,



<i>Secretary</i>	<i>Secretariat Department</i>	<i>Corresponding Head of Department</i>	<i>Corresponding Principal Head of Office</i>	<i>Minister Incharge</i>
1	2	3	4	5
	Appointment (C) Department.	Inspector General of Police, U.P., Allahabad/Lucknow.	—	Chief Minister
	Confidential Department.	Registrar, High Court of Judicature at Allahabad.	District & Sessions Judges	"
		Secretary to Governor, U.P. & Secretary, Post-War Services Reconstruction Fund, U.P., Lucknow.		"
	Vigilance Department.	Chairman, Vigilance Commission, U.P., Lucknow.	—	"
		Presiding Officer, Administrative Tribunal, U.P., Lucknow.	—	"
		Director of Vigilance, U.P., Lucknow.	—	"
		Chief Investigator, U.P. Chief Investigator's Establishment, Lucknow.	—	"
Chief Secretary	S.A.D. (A), (E) & (M.)	...	—	"
	Border Development (A) & (B) Departments.	Commissioner, Uttarakhand Division, Naini Tal.	—	"
	Language Department.	—	—	"
Secretary to Chief Minister.	Petitions Department.	—	—	"

Secretary, Civil Defence	Civil Defence Department.	Director of Civil Defence, U.P., Lucknow (Also Inspector General of Police).	Civil Defence Controllers (District Magistrates).	"
		Commandant General, Home Guards, U.P., Lucknow (Also incharge of Prantiya Rakshak Dal).	—	"
Secretary, National Integration	Department of National Integration.	—	—	"
Finance Secretary	Finance Department.	Commissioner, Sales Tax, U.P., Lucknow. (Also Commissioner, Professions, Trades, Callings and Employments Tax, U.P., Lucknow.)	Director, National Savings, U.P., Lucknow.	Minister for Finance.
		Inspector-General of Registration-cum-Chief Inspector of Stamps (and Junior Secretary, Board of Revenue), U.P., Allahabad.	Examiner, Local Fund Accounts, U.P., Allahabad.	"
			Chief Audit Officer, Cooperative and Panchayat Audit, U.P., Lucknow.	"
			Director, State Lottery, Lucknow.	"
		Director of Treasuries, U.P., Lucknow.	Deputy Chief Audit Officer, Panchayat Audit Organization, U.P., Lucknow.	"
			Mukhya Vitta Adhikari, (Zila, Parishads), U.P., Lucknow.	"
			Registrar, Firms & Societies, U.P., Lucknow.	"
Secretary, Public Works	P.W.D. (A)—(E),	Chief Engineer, P.W.D., U.P., Lucknow.	—	Minister for Public Works.
Secretary, Excise	Excise Department [cum-Industries (C) Deptt.]	Commissioner of Excise, Allahabad.	State Prohibition Officer, U.P., Lucknow.	Minister for Excise.

Secretary	Secretariat Department	Corresponding Head of Department	Corresponding Principal Head of Office	Minister Incharge
1	2	3	4	5
Secretary, Irrigation & Power	Irrigation (A)—(D) Departments. Power (A) & (B) Departments.	Chief Engineer, Irrigation Department, U.P., Lucknow. Chairman, U.P. State Electricity Board, Lucknow. <sup>26</sup> Chief Engineer, Hydel and Rihand Power, U.P. State Electricity Board, U.P., Lucknow. <sup>26</sup> General Manager, Kanpur Electric Supply Administration, Kanpur. <sup>26</sup>	— Electrical Inspector to Government, U.P., Lucknow.	Minister for Irrigation & Power. " " " "
Secretary, Home & Jails <sup>27</sup>	Home (Police—A, B and E) Departments. Home (Police—C & D) Departments. Home (General) Department. Home (Jails) Department. <sup>27</sup>	Inspector General of Police, U.P., Allahabad/Lucknow. — — Inspector General of Prisons, U.P., Lucknow.	— — Chemical Examiner to Government, U.P., Agra.	Chief Minister. " " " " " "

<sup>26</sup>. The State Electricity Board is an autonomous body declared as a Local Fund.

<sup>27</sup>. The charge of Jails Department was placed under another Secretary with effect from January 1, 1968, who held it in addition to his duties as Secretary to Chief Minister.

Secretary, Transport	Transport (A) & (B) Transport Commissioner, U.P., Lucknow.	Minister for Transport.
	Director of Tourism, U.P., Lucknow.	
Commissioner & Secretary for Agricultural Production & Rural Development	Agriculture (A)—(C) and (Eng.) Departments. Animal Husbandry (A) & (B) and Fisheries Departments.	Minister for Agriculture and Community Development.
	Director of Animal Husbandry, U.P., Lucknow.	Minister for Animal Husbandry and Forests.
	Director of Fisheries, U.P., Lucknow.	
	Principal, U.P. College of Veterinary Science and Animal Husbandry, Mathura.	
	Co-operative (A) & (B) Registrar, Co-operative Societies, and Cane Departments, U.P., Lucknow.	Minister for Co-operation and Minister for Agriculture and Community Development (including Cane Development.)
	Cane Commissioner (cum-Sugar Commissioner), U.P., Lucknow.	
Panchayati Raj (I) & (II) Departments.	Director of Panchayats, U.P., Lucknow.	Minister for Agriculture and Community Development.

<i>Secretary</i>	<i>Secretariat Department</i>	<i>Corresponding Head of Department</i>	<i>Corresponding Principal Head of Office</i>	<i>Minister Incharge</i>
1	2	3	4	5
	Community Development (A)—(C) Departments.	Commissioner for Agricultural Production and Rural Development, U.P., Lucknow.	Commandant General, Prantiya Rakshak Dal, U.P., Lucknow.	Minister for Agriculture and Community Development
		Director of Tube Wells, U.P., Lucknow.	—	" "
		Superintending Engineer, Rural Man Power & Minor Irrigation, Lucknow.	—	" "
Secretary, Planning	Planning (A)—(C) Departments.	Director, Planning Research-cum-Action Institute, U.P., Lucknow. (Also Director of Evaluation, U.P.)	—	Chief Minister
		Director of Economic Intelligence and Statistics, U.P., Lucknow.	—	" "
Secretary, Forests	Forests (A) & (B) Departments.	Chief Conservator of Forests, U.P., Lucknow/Naini Tal.	—	Minister for Forests & Animal Husbandry.
		(Conservators of Forests).	—	" "
		Chief Wild Life Warden, U.P., Lucknow.	—	" "
Secretary, Industries	Industries (A)—(F) Departments.	Director of Industries-cum-Provincial Textile Controller-cum-Provincial Iron & Steel Controller, U.P., Kanpur.	Superintendent, Printing & Stationery, U.P., Allahabad.	Minister for Industries & Labour.

Secretary, Revenue	Revenue (A)—(F) and Scarcity Departments.	Director, Government Cement Factory, Churk, District Mirzapur.	Engineer Manager, Govern- ment Precision Instrument Factory, Lucknow.	"	"
		Sugar Commissioner (cum-Cane Commissioner), U.P., Lucknow.	General Manager, Vibhuti Glass Factory, Ramnagar, District Varanasi.	"	"
		Director, Geology & Mining, U.P., Lucknow.	—	"	"
		Secretary, Board of Revenue, U.P., Lucknow.	Secretary, State Soldiers', Sailors' and Airmen's Board, U.P., Lucknow.	"	Minister for Revenue.
		State Editor, "District Gazetteers", U.P., Lucknow.	—	"	"
		Settlement Commissioner, U.P., Lucknow.	—	"	"
		Commissioners of Divisions.	Government Estate Officer, Vidhan Bhawan, Lucknow.	"	Minister for Public Works.
		Commissioner, Consolidation of Holdings, U.P., Lucknow.	Administrator General & Official Trustee, U.P., Allahabad.	"	Minister for Justice & Minister in-charge Muslim Waqfs.
Secretary, Judicial and Legislative- cum-Legal Re- membrancer to Government-cum- Secretary, Legis- lature	Government Estate Office.	—	Chief Standing Counsel, Lucknow and Allahabad.		
	Judicial (A) & (B) De- partments.	Advocate General, U.P., Allahabad.	Government Advocates, High Court, Lucknow and Allah- bad.		
		Registrar, High Court of Judica- ture at Allahabad.			
	Elections Department.	Director of Elections, U.P., and also Chief Electoral Offi- cer, U.P., Lucknow. (The post is held by Secretary, Judicial, <i>ex-officio</i> .)			

<i>Secretary</i>	<i>Secretariat Department</i>	<i>Corresponding Head of Department</i>	<i>Corresponding Principal Head of Office</i>	<i>Minister Incharge</i>
1	2	3	4	5
	Legislative Department.	Secretary to Legislature, U.P., Lucknow.	Secretary, Legislative Assembly, Lucknow.	Minister for Justice
			Secretary, Legislative Council, Lucknow.	" "
Secretary, Education <sup>28</sup>	Education (A)—(E) Departments.	Director of Education, Allahabad/Lucknow.	Director, Military Education and Social Service Training, U.P., Lucknow.	Minister for Education and Social Welfare.
			Director, National Cadet Corps, U.P., Lucknow.	" "
	Social Welfare and Harijan Sahayak Departments.	Director of Harijan Social Welfare, U.P., Lucknow.	—	Minister-in-Charge of Charitable Endowments.
Secretary, Local Self Government	L.S.G. (A) & (B) Departments.	Chief Engineer, L.S.G. Engineering Department, U.P., Lucknow.	—	Minister for Local Self Government.
	Municipal (A)—(C) Departments.			
	Housing Department.	Chief Town & Country Planner, U.P., Lucknow.	Prescribed authorities of Regulated Areas.	" "

<sup>28</sup> Also Secretary, Technical Education, since July 11, 1968.



		Housing Commissioner, Housing and Development Board, (also Director, Local Bodies) U.P., Lucknow.			Minister for Revenue and R. & R.
Secretary, R. & R.	R. & R. Department.	Commissioner, Relief & Rehabilitation, U.P., Lucknow.			Minister for Medical and Health & Minister-in-Charge of Sri Badri Nath Temple Committee.
Secretary, Medical	Medical (A)—(C) and Public Health Departments.	Director, Medical and Health Services, U.P., Lucknow.		Secretary, State Health Board, U.P., Lucknow.	
		Director, Ayurvedic and Unani Services, U.P., Lucknow.			
Secretary, Labour	Labour (A)—(D) Departments.	Labour Commissioner, U.P., Kanpur.		Chief Inspector of Factories-cum-Chief Inspector of Boilers, U.P., Kanpur.	Minister for Industries and Labour.
		Director, Training & Employment, U.P., Lucknow.			
		Presiding Officers, Industrial Tribunals, Allahabad/Lucknow.			
Secretary, Food & Civil Supplies	F. & C. S. (A)—(D) Departments and Rent Control Department.	Commissioner, Food & Civil Supplies, U.P., Lucknow. (also Secretary F. & C.S.)		Provincial Marketing Officer, U.P., Lucknow.	Minister for Food and Civil Supplies.
		Provincial Iron & Steel Controller-cum-Textile Controller, U.P., Kanpur.		Controller of Weights & Measures, U.P., Lucknow.	
Secretary, Cultural Affairs & Scientific Research	Cultural Affairs & Scientific Research Department.	Director of Cultural Affairs, U.P., Lucknow.		Keeper of Archives, U.P., Allahabad.	Minister for Education and Social Welfare.
		Director of Scientific Research and Director, U.P. State Observatory, Naini Tal.		Director, State Museum, Lucknow.	

<i>Secretary</i>	<i>Secretariat Department</i>	<i>Corresponding Head of Department</i>	<i>Corresponding Principal Head of Office</i>	<i>Minister Incharge</i>
1	2	3	4	5
			Curator, Archaeological Museum, Mathura.	Minister for Education and Social Welfare.
			Secretary, State Council of Scientific and Industrial Research, Lucknow.	
			Principal, Government College of Arts and Crafts, Lucknow.	
			Secretary, State Lalit Kala Akademi, Lucknow.	
Secretary, Information <sup>29</sup>	Information (A)—(C) Departments.	Director of Information, U.P., Lucknow.	—	Minister for Justice and Information.
Secretary, Technical Education <sup>30</sup>	Department of Technical Education.	Director of Technical Education, U.P., Kanpur.	Secretary, Board of Technical Education, U.P., Lucknow.	Minister for Education and Social Welfare.
		Director, Harcourt Butler Technological Institute, Kanpur. <sup>31</sup>		

29. Also Secretary, National Integration since July, 1968.

30. Also Secretary, Education, See foot-note no. 28.

31. H. B. T. I., Kanpur is now an autonomous body.

## CHAPTER 3

# Personnel Administration

### 3.1.—APPOINTMENT DEPARTMENT

3.1.1. Originally, when the Secretariat was small and its functions were confined only to supervision over the land settlement, collection of revenue and maintenance of law and order, a department known as General Department looked after the services of the State, particularly those entrusted with these subjects. It was as a result of the reorganization of the Secretariat undertaken in 1883 that a separate Appointment Department was formed in 1885 under the Chief Secretary to Government to deal with matters of staff of the Revenue, Judicial and Police Departments including the personnel designated as Tahsildars and Naib-Tahsildars. Since this was the main Department dealing with important services of the State, it evolved and laid down in course of time the general principles in respect of recruitment to services and conditions of service of posts under the State Government. Later, with the expansion of the Secretariat, the establishment of Tahsildars and Naib-Tahsildars was transferred to the Revenue Department. Training classes at Moradabad were also abolished in 1931. The Appointment Department was left in charge of only those services which related to general administration and maintenance of law and order and with matters concerning service rules. The State Public Service Commission was established in 1937 and was placed under the administrative control of this Department.

3.1.2. The work of the Department, however, continued to increase and in January, 1948 it was divided into Appointment (A) and Appointment (B) Departments, the former dealing with matters relating to staff, their appointment and posting and the latter with policies and rules concerning services and also to constitute an advisory bureau on service questions. Appointment (A) Department was, however, further bifurcated with the creation of a new Appointment (C) Department in August, 1953, dividing amongst themselves the subjects dealt with in the former.

3.1.3. The portfolio of the Department is generally held by the Chief Minister, who is also Minister for General Administration. The Chief Secretary is the administrative head and he is assisted by a Secretary, one or two Deputy Secretaries, an Under or Assistant Secretary, and an Officer on Special Duty.

*Appointment (A) Department*

3.1.4. The Department deals with officers of the Indian Civil Service, the Indian Administrative Service and officers of the U.P. Civil Service (Executive Branch). Recruitment to the Indian Administrative Service is regulated by the rules framed by the Government of India under the All-India Services Act, 1951. The strength of the cadres of these Services in the State on December 31, 1966 was as below:—

*(i) Indian Administrative Service Cadre*

1. Senior posts under State Government	153
Chairman, Board of Revenue	1
Members, Board of Revenue	2
Judicial Members, Board of Revenue	3
Chief Secretary to Government	1
Commissioners of Divisions	10
Commissioner & Secretary	3
Presiding Officer, Industrial Tribunal	1
Commissioner-cum-State Editor, District Gazetteer	1
Commissioner for Consolidation	1
Secretaries/Special Secretaries to Government	10
Secretary to Governor	1
Secretary to Chief Minister	1
Secretary, Board of Revenue	1
Additional or Joint Secretaries to Government	10
Deputy Secretaries to Government	17
Excise Commissioner & Commissioner for Prohibition	1
Chairman, State Electricity Board and Secretary to Government	1
Director, Government Cement Factory	1
Deputy Director, Government Cement Factory	1
Director of Industries	1
Additional or Joint Director of Industries	3
Labour Commissioner	1
Additional or Joint Labour Commissioner	1
Registrar, Co-operative Societies	1
Additional Registrar, Co-operative Societies	1
Cane Commissioner	1
Sales Tax Commissioner	1
Additional or Joint Sales Tax Commissioner	1
Settlement Commissioner	1
Settlement Officer	1
Transport Commissioner	1
Deputy Transport Commissioner (Administration)	1
Principal, Officers' Training School	1
Director of Panchayats	1
Director of Information	1
Director of Training and Employment	1
Secretary, Public Service Commission	1
Additional Director of Education	1

Deputy Commissioner, Food & Civil Supplies-cum-Deputy Secretary to Government	1
Joint Directors of Consolidation	2
Deputy Commissioners/Magistrates and Collectors	54
Joint or Deputy Development Commissioners	7
Deputy Land Reforms Commissioners	2
2. Senior posts under Central Government	61
	<hr/> 214
3. Posts to be filled by promotion and selection in accordance with rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954	53
4. Posts to be filled by direct recruitment	161
5. Deputation reserve at 20 per cent. of 4 above	32
6. Leave reserve at 11 per cent. of 4 above	18
7. Junior posts at 20.60 per cent. of 4 above	33
8. Training reserve at 10.59 per cent. of 4 above	17
Direct recruitment posts	<hr/> 261
Promotion posts	53
Total authorized strength	314

## (ii) U. P. Civil Service (Executive Branch)

## Sanctioned strength :

Deputy Collector	Selection grade 57	Total	565
	Ordinary grade 508	Cadre	
1. Staff allotted to the districts for working as Sub-Divisional Officer, Extra Magistrates, City Magistrates, Additional District Magistrates, District Planning Officer and five posts of Settlement Officers			351
2. Deputy Secretaries to Government	12		
Under Secretaries to Government	8	20	
3. Special posts		82	
Deputy Secretary, Board of Revenue	1		
Assistant Records Officers	12		
Additional Commissioners	7		
Principal, Qanungo Training School	1		
Vice-Principal, Qanungo Training School	1		
Additional District Magistrate (Judicial) and other Additional District Magistrates	25		
Assistant and Deputy Development Commissioners	10		
Special Land Acquisition Officers	6		
Assistant Director of Land Records/Assistant Land Reforms Commissioners	4		
Officers for the Co-operative Department	3		
Officers for the Labour Department	3		
Officers for the Industries Department including Churk Cement Factory	9		

4. Leave reserve	45
5. Deputation reserve	45
6. Training reserve	22
	<hr/>
Total	565
	<hr/>

Tahsildars officiating as Deputy Collectors (temporary posts)  
on July 1, 1963. 153

3.1.5. The Department also deals with conferences of senior administrative officers, general questions relating to character rolls, training of Central Secretariat Officers and I.A.S. Officers of other States, verification of character and antecedents of officers recruited on the results of combined State Services Examination conducted by the State Public Service Commission for U.P. Civil Service (Executive Branch), U.P. Police Service, U.P. Finance and Accounts Service, U.P. Sales Tax Officers' Service, Assistant Regional Transport Officers' Service, Regional Audit Officers' Service (Co-operative and Panchayats) and for posts of Assistant Registrar, Co-operative Societies, and Assistant General Managers (Roadways). It compiles the Civil List, Part I, containing information relating to designations, postings and emoluments of the officers of the I.C.S., I.A.S., Indian Police, Indian Police Service, U.P. Civil Service (Executive Branch), U.P. Police Service, U.P. Higher Judicial Service, U.P. Civil Service (Judicial Branch), Judicial Officers and Special Railway Magistrates and Part III containing similar particulars in respect of officers of important local bodies. This department also issues obituary notices of important members of the Government and important members of services if they die in harness.

#### *Appointment (B) Department*

3.1.6. The main work of the Department is to keep track of service conditions of different services and posts under the rule making control of the State Government and so to maintain co-ordination and uniformity in the terms and conditions of public service. Principles concerning recruitment, appointment, promotion, conduct of government servants, deputations to other posts, suspension, punishments including termination, removal and dismissal from service, appeals and representations, retirement, compulsory retirement, re-employment and extension in service beyond the age of superannuation, recognition of associations of government servants, absorption of re-trenched personnel, verification of character and antecedents of candidates for government services and posts, bar on dismissed government servants, disciplinary matters, departmental examinations of probationers in various Government services, recognition of non-technical degrees and diplomas for recruitment to services and posts, representation of members of Scheduled Castes<sup>1</sup> and Backward classes

1. A committee to look into the implementation of the orders of Government regarding representation of the Scheduled Castes in services and posts under the State Government was set up under this Department in March, 1967, with the Minister for Social and Harijan Welfare as Chairman and the Director, Harijan and Social Welfare, U.P., as Member-Secretary. See also Chapter 11.10—Department of National Integration.



in Government services are formulated. It also deals with some of the minor matters relating to services under the administrative control of Appointment (A) and (C) Departments, such as training of junior officers, sanction of pensions except to the officers of I.C.S., I.A.S., I.P. and I.P.S. (the latter are sanctioned by Appointment (C) Department) and Service Rules. The Department also acts as the administrative department for the State Public Service Commission, and in performing its functions, it is guided mainly by the provisions contained in Part XIV of the Constitution of India which lays down the general provisions for the services under the Union and the States and for the Public Service Commissions. The concurrence of this Department is obtained by every administrative department before relaxing any service rule.

3.1.7. In May, 1952, the Disciplinary Proceedings Inquiry Committee was set up under the chairmanship of late Sri Govind Ballabh Pant, then Chief Minister of the State to (i) examine the procedure for disciplinary inquiries against government servants with a view to make such proceedings more expeditious and (ii) to suggest measures for improving efficiency and integrity of the public services. The Committee submitted its reports in two parts, the first in November, 1952, and the second in February, 1954, and practically all its recommendations were accepted by Government.

3.1.8. After the abolition of the Training School at Moradabad in 1931, there was no institution in the State where officers on the executive cadres of the administration could receive training in their duties. A training class was opened at Hardoi subsequently to train junior officers in survey and land records, but this too was closed down in 1940. After the War the question was taken up again in 1946 but because of unexpected post-partition problems it was only in 1951 that an Officers' Training School could be started at Allahabad. The School was, however, closed down in May, 1953, for administrative reasons but it was again revived in September, 1954. The School ran courses for officers of the I.A.S., U.P.C.S. (Executive Branch), U.P.C.S. (Judicial Branch) and for Judicial Officers. Officers from other States were also trained. The School was again closed down in 1962.

#### *Appointment (C) Department*

3.1.9. This Department deals with the establishment of the officers of the Indian Police, recruitment to which was stopped in 1942, and the Indian Police Service formed in 1946, recruitment to which is regulated by the rules framed by the Government of India under the All-India Services Act, 1951, and of the officers of the U.P. Higher Judicial Service, the U.P. Civil Service (Judicial Branch), the U.P. Police Service, the U.P. Judicial Officers' Service (including Special Railway Magistrates) and Special Land Acquisition Officers. The strengths of the cadres of these Services in the State on December 31, 1966, were as follows:



## (i) Indian Police Service

1. Senior posts under State Government	...	94
Inspector General of Police		1
Deputy Inspectors General of Police		11
Assistant to Inspector General of Police		1
Assistant Inspector General of Police (Railways)		1
Superintendents of Police		50
Superintendent of Police, Headquarters		1
Superintendent of Police (City), Kanpur		1
Superintendents of Police, Intelligence Department		4
Superintendents of Police, C.I.D.		6
Additional Superintendents of Police		6
Principal, Police Training College, Moradabad		1
Commandants, Provincial Armed Constabulary Battalions		10
Administrative Commandant, P.R.D. Lucknow		1
2. Senior posts under Central Government		38
	Total	132
3. Posts to be filled by promotion in accordance with rule 9 of the Indian Police Service (Recruitment) Rules, 1954		33
4. Posts to be filled by direct recruitment		99
5. Deputation reserve at 20 per cent. of 4 above		20
6. Leave reserve at 11 per cent. of 4 above		11
7. Junior posts at 20-60 per cent. of 4 above		20
8. Training reserve at 10.59 per cent. of 4 above		10
Direct Recruitment posts		160
Promotion posts		33
Total authorized strength		193

## (ii) U. P. Police Service

Sanctioned strength :		235
Deputy Superintendents of Police, Selection grade		12
Deputy Superintendents of Police, Ordinary grade		223
Including 53 posts for various reserves as detailed below :		
Leave reserve		19
Training reserve		9
Deputation reserve		20
For Delhi		5

## (iii) U. P. Higher Judicial Service

1. District and Sessions Judges	44
2. Civil & Sessions Judges	40
(including leave reserve of five posts)	84
Temporary posts of Distt. & Sessions Judges	12
Temporary posts of Civil & Sessions Judges	62

## (iv) U. P. Civil Service (Judicial Branch)

1. Civil Judges	65
2. Munsifs	201
	266
Temporary posts	55

(v) U. P. Judicial Officers' Service<sup>2</sup>

(1) Permanent	22
(2) Temporary	50
	270

## (vi) Special Land Acquisition Officers

Special Land Acquisition Officers	7
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3.1.10. Recruitment to the posts in the U.P. Civil Service (Judicial Branch) and the U.P. Judicial Officers' Service is made through a combined competitive examination conducted by the State Public Service Commission. Matters relating to transfers and promotion of the members of the U.P. Civil Service (Judicial Branch) are controlled by the High Court of Judicature at Allahabad. Proposals in these matters in respect of Indian Police Service and U.P. Police Service are submitted to the Government by the Inspector-General of Police. Those in respect of the officers of Higher Judicial Service are sent by the High Court. The Department also deals with the question regarding separation of executive and judicial functions of magistracy, shifting of headquarters of Sub-Divisional Officers, creation of temporary courts of civil and sessions judges, pensions of I.C.S., I.A.S., I.P. and I.P.S. officers, loans and advances of all officers with whom Appointment (A) and (C) Departments are concerned and compilation of Civil List, Part II, containing information relating to designations, postings and emoluments, etc., of the officers of State Services other than those included in Part I which is compiled in Appointment (A) Department.

3.1.11. *Separation of the Judiciary from the Executive.* A Committee was set up by the Government in May, 1967 to examine the details of separation of the Judiciary from the Executive, and on the basis of the recommendations made by it, it was decided to bring about a more complete separation of the Judiciary from the Execu-

2. See sub-para. (1) of para. 3.1.11.

tive in the public services of the State with effect from October 2, 1967.

(1) *Administrative Control and its Exercise*

From October 2, 1967 all members of the U.P. Judicial Officers' Service except a few Additional Commissioners, have been placed under the administrative control of the High Court. They form a separate wing under the High Court, and have not been merged with the cadres of the U.P. Civil Service (Judicial Branch) and the U.P. Higher Judicial Service. Notwithstanding the provisions of section 17(5) Cr.P.C., the High Court will now exercise administrative control over Additional District Magistrates (Judicial) and other Magistrates belonging to the Judicial Officers' Service, under Article 235 of the Constitution, through the District and Sessions Judges. The Additional District Magistrates (Judicial), who were already invested with all powers of a District Magistrate will continue to exercise those powers in relation to Judicial Magistrates and Munsif Magistrates, while District Magistrates continue to exercise similar powers in relation to the Executive Magistrates and Special Railway Magistrates. In respect of sections 192(1) and 528(2) Cr.P.C. occasions may arise when a District Magistrate may have to transfer a case wrongly instituted in the court of an Executive Magistrate to the Court of a Judicial Magistrate or, in a converse situation, an Additional District Magistrate (Judicial) may have to transfer a case to an Executive Magistrate, but these powers are, as a matter of convention, exercised by the officers concerned only in consultation with their counterparts. The police continue to send IPC cases (including applications for remand and final reports under section 169 Cr.P.C. in respect of such cases) to the Judicial Magistrates and other cases to Executive Magistrates. The same distribution is observed in respect of complaint cases and if a complaint case is received in the Court of a Magistrate contrary to this distribution, action is to be taken under sections 192 or 528 of the Cr.P.C. The Judicial Officers are subordinate to the Additional District Magistrate (Judicial) who, in turn, is subordinate to the District and Sessions Judge and through him to the High Court. Promotion of Judicial Officers to the post of Additional District Magistrate (Judicial) and of the latter to the post of Additional Commissioner are ordered by Government in consultation with the High Court.

(2) *Disposal of Revenue Case Work*

Formerly, all suits and proceedings under the U.P. Zamindari Abolition and Land Reforms Act (and allied Acts), the U.P. Land Revenue Act and under other miscellaneous Acts triable by Collector or Assistant Collectors as well as sales of immovable property ordered under section 68 of the Code of Civil Procedure were dealt with by Judicial Officers. The Judicial Officers who worked as Magistrates ceased to handle these cases from October 2, 1967. This work has now been entrusted to Sub-Divisional Officers and other Deputy Collectors or such Judicial Officers whose services are loaned on deputation

by the High Court from time to time for this purpose. Similarly, revenue cases or consolidation revisions done formerly by Additional District Magistrate (Judicial) are now to be taken up by a District Magistrate or an Additional District Magistrate (Executive) in his capacity as Collector or Additional Collector.

### *(3) Disposal of Criminal Case Work*

Judicial Officers have been hearing all cases under the I.P.C. and were also empowered to take cognizance, under clause (a) and clause (b) of sub-section (1) of section 190 Cr.P.C. of offences under the I.P.C. They continue to do this work as before. The Executive Magistrates continue to deal with the following cases and miscellaneous work as heretofore:—

- (a) All cases under the Cr.P.C. particularly under sections 107/117, 109, 110, 145.
- (b) All cases under other miscellaneous local and special Acts such as Arms Act, Excise Act, Prevention of Food Adulteration Act, Gambling Act, Essential Commodities Act, etc.
- (c) Conduct of identification proceedings, recording of dying declarations, confessions and statements under section 164, Cr.P.C.

### *(4) Effect of Separation on Law and Order Arrangements*

With the transfer of Judicial Officers under the control of the High Court, they were no longer available in the usual course to the District Magistrates for law and order duties arising from day to day. It was, therefore, necessary to make alternative arrangements to meet such emergencies. Arrangements have, therefore, been made that District Magistrate may in cases of urgent and pressing necessity when the other resources at his disposal are, in his view, inadequate, avail of the services of the Judicial Officers posted in the District with the approval of the District and Sessions Judge who will, in due course, report the matter to the High Court for the latter's information. The services of Judicial Officers obtained on deputation from the High Court for dealing with Revenue case work can also be utilised by District Magistrates in meeting difficult law and order situations. To meet such an emergency the magisterial powers of Judicial Officers are allowed to continue even when they are on deputation with Government for dealing only with revenue case work. Consultation with the District and Sessions Judge for using the services of such officers in connection with the maintenance of law and order is not necessary.

### *(5) Future Recruitment of Judicial Officers*

After October 2, 1967, no further recruitment of Judicial Officers is made and the normal wastage in their cadre is to be made good by the recruitment of an equal number of Munsifs for the disposal of criminal case work and Deputy Collectors for the disposal of revenue

case work. In this way, in course of time, the cadre of Judicial Officers would disappear and ultimately criminal cases under the Indian Penal Code at the magisterial level, would all come to be dealt with by Munsif Magistrates while revenue case work will gradually be taken over by Deputy Collectors.

(6) *Special Railway Magistrates*

The services of certain Judicial Officers were usually placed at the disposal of the Railways for appointment as Special Railway Magistrates in connection with the scheme for the prevention of ticketless travel. After separation, the necessary number of Judicial Officers are obtained from the High Court, from time to time, for deputation to the Railways.

(7) *Exclusion of Kumaun and Uttarakhand Divisions*

For administrative reasons, the scheme of separation was not made applicable to Kumaun and Uttarakhand Divisions except to the extent that the Judicial Officers posted at Naini Tal and Almora were transferred to the control of the High Court, but in other respects the *status quo* for the disposal of revenue and criminal case work in these Divisions was maintained.

(8) *Staff and other Miscellaneous Matters*

To begin with, the Collectorate staff working with Judicial Officers and Additional District Magistrates (Judicial) was placed on deputation under the control of the District Judges with effect from October 2, 1967, and the feasibility of absorption of this staff in the ministerial cadres of the Civil Court was to be considered further.

A Notification<sup>3</sup> issued by the Government under Article 237 of the Constitution, runs as follows:

"In exercise of the powers conferred by Article 237 of the Constitution the Governor is pleased to direct that the remaining provisions of Chapter VI of Part VI of the Constitution shall, with effect from October 2, 1967 apply in relation to such magistrates including Additional District Magistrates (Judicial) in the State as belong to the Uttar Pradesh Judicial Officers' Service as they apply in relation to persons appointed to the Judicial Service of the State subject to the following exceptions and modification, namely:

- (i) Promotion of a Magistrate as Additional District Magistrate (Judicial) shall be made by the Governor in consultation with the High Court;
- (ii) The Uttar Pradesh Judicial Officers' Service shall not be a part of the judicial service as defined in clause (b) of Article 236 and the said magistrates shall not be eligible for appointment as district judges under clause (I) of Article 233 of the Constitution;

3. Appointment (C) Department Notification No. P-7479/II-C-54-1961, dated September 30, 1967.

(iii) In relation to such of the said magistrates as are placed on deputation by the High Court with the State Government for discharging the duties of Assistant Collectors or of Special Railway Magistrates, the control over them, including their posting and the grant of leave to them, while they are so serving on deputation shall vest in the State Government alone;

(iv) The provisions of the said chapter shall cease to apply in relation to any such magistrate if he is appointed as Additional Commissioner by the Governor, provided that in the event of his reversion or reduction from that post as a magistrate, the provisions of the said chapter shall again become applicable subject as aforesaid.

2. The Governor is also pleased to direct that appointment of any magistrate, including Additional District Magistrate (Judicial), belonging to the Uttar Pradesh Judicial Officers' Service to the post of Additional Commissioner shall be made by the Governor in consultation with the High Court.

3. The Governor is further pleased to direct that in the event of any existing Additional Commissioner belonging to the Uttar Pradesh Judicial Officers' Service being in future reverted or reduced as magistrate, the provisions of the said chapter shall, subject as aforesaid, be applicable to him as well."

#### Acts, Rules and Manuals

<i>Sl. No.</i>	<i>Name of Act, Rule or Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<i>I. Appointment (A) and (C) Department</i>			
	<i>Acts</i>		
1.	All-India Services Act	1951	Government of India.
	<i>Rules &amp; Regulations</i>		
2.	Rules and Regulations governing the cadre and recruitment, appointment by competitive examination, special recruitment, appointment by promotion, appointment by selection, probation, probationers' final examination, pay, seniority, conduct, discipline and appeal, medical attendance, leave, etc. in respect of IAS and IPS.	1954-60	-do-
2A.	All-India Services Manual	1967	-do-
<i>II. Appointment (B) Department</i>			
	<i>Acts</i>		
3.	U. P. Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Act.	1953	State Government.

<i>Sl. No.</i>	<i>Name of Act, Rule or Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
4.	Public Employment (Requirement as to Residence) Act.	1957	Government of India.
<i>Rules and Regulations</i>			
5.	The Civil Services (Classification, Control and Appeal) Rules.	1930	Government of India, as amended by the State Government from time to time.
6.	The Punishment and Appeal Rules for Subordinate Services.	1932	State Government.
7.	Government Servants' Application for Posts (U.P. Provincial, Specialist and Subordinate Services) Rules.	1934	-do-
8.	U.P. Public Service Commission (Conditions of Service) Regulations.	1937	-do-
9.	U. P. Public Service Commission Staff (Conditions of Service) Regulations.	1942	-do-
10.	Rules for the conduct of departmental examinations and the training of junior officers in Uttar Pradesh.	1949	-do-
11.	Rules for the Recruitment of Ministerial Staff to the Subordinate Offices.	1950	-do-
12.	General Rule regulating the termination of services of temporary government servants.	1953	-do-
13.	The U.P. Public Service Commission (Limitation of Functions) Regulations.	1954	-do-
14.	The U.P. Government Servants' Conduct Rules.	1956	-do-
15.	Instruction regarding direct recruitment through the Public Service Commission.	1957	-do-
16.	Principles for regulating deputation, etc. of government servants and for disposal of applications for other posts.	1959	-do-
17.	U.P. Government Servants' (Recognition of Service Associations) Rules.	1959	-do-
18.	U.P. Retrenched Employees' Recruitment Rules.	1967	-do-
19.	U.P. Non-Technical (Class II) Services (Reservation of Vacancies for Demobilized Officers) Rules.	1968	-do-



### 3.2.—SECRETARIAT ADMINISTRATION DEPARTMENT

3.2.1. The history of the Secretariat Administration Department revolves round the evolution of the State Secretariat itself, for the Department deals with matters concerning clerical and class IV staff in the Secretariat and looks after other house-keeping functions.

3.2.2. The first reorganization of the Secretariat was undertaken in 1883 by Mr. F. Baker, the then Chief Secretary, whose proposals, on which much of the present system is based, were implemented in 1884-85. Accordingly, the entire Secretariat staff was initially placed under the control of the Chief Secretary in the General Administration Department but it was later decentralised in 1901 when each Secretary was given power to control the staff under him. All matters relating to the Secretariat establishment were looked after by one Treasurer for the whole office, who worked under the control of the Finance Secretary. The clerical staff was controlled by a Registrar in each Secretary's Branch, who was entrusted with matters concerning staff and small house-keeping expenditure. In 1923, however, the whole system was again centralized and a department named 'Executive Department' was created to deal with Secretariat establishment and accounts and the Secretariat Library. It also employed the services of a Caretaker. The entire ministerial staff of the Secretariat was brought under the control of the Chief Secretary through this Department, except for the Finance and the Public Works Branches which were kept separate.

3.2.3. With the introduction of Provincial autonomy in 1937 under the Government of India Act, 1935, the work in the Secretariat increased. The old Executive Department was, therefore, remodelled into a new department named as 'Secretariat Administration Department'. The expansion, however, continued apace and the Department had to be bifurcated in 1939 into 'Secretariat Administration Department (Establishment)' and 'Secretariat Administration Department (Accounts)'. The former was made responsible for establishment matters in general, including the supply of liveries, stationery, books and periodicals. The Issue Section, the Record Room and the Secretariat Library were also under its control. Accounts matters relating to the establishment of all officers and staff, including the class IV staff of the Secretariat were given over to the Secretariat Administration Department (Accounts) along with other house keeping functions. In 1946, a separate Government Estate Office was established and matters relating to allotment of office and residential accommodation at Lucknow and Naini Tal in respect of members of Government and Secretariat officers and staff, furnishing of residences for Ministers and Speaker, execution of works and repairs in the Secretariat office and residential buildings at Lucknow and Naini Tal and Allahabad, provision of accommodation for holding the sessions of the Legislature in Lucknow and Naini Tal, co-ordination of demands for office and residential accommodation in Lucknow in respect of Government officers and offices other than those of the Secretariat and the subject of staff cars, including cars of Ministers, were transferred to that office from Secretariat Administration Department (Accounts).

3.2.4. The general increase in governmental activities in the post-independence period and the resultant expansion of the Secretariat offices, made it practically impossible for this arrangement to answer to the vastly increased demands placed upon it. It was, therefore, decided that the entire administrative control over the non-gazetted ministerial and class IV staff of a particular Branch, should vest in the Secretary of that Branch. The establishment work of the Secretariat was accordingly again decentralised from January 1, 1951.

3.2.5. The Finance and the Public Works Departments, previously constituted separate units for purposes of establishment. There was a general feeling that the existence of these units as separate from the General Secretariat did not give equal opportunity for promotion to staff recruited from a common source. Accordingly, the three units of the Secretariat, viz., the General Secretariat, the Finance and the Public Works Departments were merged into one unit with effect from September 1, 1957. The establishment of the Assistant Superintendents<sup>4</sup> which was decentralised in 1951, was also brought under the administrative control of this Department from 1957. The gradual increase in work, however, tended to be unwieldy and eventually a new department named 'Secretariat Administration Department (Miscellaneous)' was created in August 1960, when most of the house-keeping functions were transferred to that Department. The Establishment section was further sub-divided into two sub-sections in August, 1963.

3.2.6. The portfolio of the Department is generally held by the Chief Minister and the Chief Secretary is the administrative head. The Department, which forms a unit of the Chief Secretary's Branch, is under the immediate charge of a Joint or a Deputy Secretary, who is assisted by an Under Secretary and an Assistant Secretary for work relating to establishment of class IV staff and other house-keeping functions.

3.2.7. Matters dealt with in various sections of the Department, each under charge of a Superintendent, are as detailed below:—

*I—Secretariat Administration Department (Establishment-I).—* Recruitment of the non-gazetted ministerial staff for the entire Secretariat comprising of Upper Division and Lower Division Assistants, Stenographers and Translators through the Public Service Commission; selection, appointment, posting, promotion, transfer, etc., of members of U.P. Secretariat Service, viz., Deputy Secretaries, Under Secretaries and Assistant Secretaries; Superintendents of departments, Personal Assistants to Ministers, Assistant Superintendents, Personal Assistants (Grade IV),<sup>5</sup> Stenographers, Reference Clerks, Accountants, Treasurers,

4. The posts of Assistant Superintendent in the Secretariat carry gazetted status with effect from December 24, 1966, under the U.P. Secretariat Assistant Superintendents' (Conferment of Gazetted Status) Rules, 1966.

5. Senior Grade Stenographers were re-designated with effect from December 26, 1966 as Personal Assistants (Grade IV) with gazetted status under U.P. Secretariat Senior Grade Stenographers (Conferment of Gazetted Status and Re-distribution) Rules, 1966.

surers, Jamadars, daftaries and Cyclostyle Machine Operators; centralized promotion from amongst the Lower Division Assistants to the posts of Upper Division Assistants, Reference Clerks, etc., in the Secretariat; appeals to Chief Secretary from non-gazetted ministerial staff of various Branches of the Secretariat against the orders of the Secretary concerned; list of subjects dealt with in various departments of the Secretariat; holidays in the Secretariat; Secretariat Associations, Staff Council and Benevolent Fund; Secretariat Manual and general orders regarding Secretariat procedure, discipline, etc.; Gradation Lists in respect of services in the Secretariat and maintenance of distribution list of Government Orders.

A leave reserve of stenographers is maintained in the Central Section of Stenographers which arranges the services of stenographers to officers as and when needed and of reporters for the various committees and conferences and for additional work during the sessions of the Legislative Council. The Section is under the charge of Superintendent of Stenographers who works under the administrative control of this Department.

*II—Secretariat Administration Department (Establishment—II).—*All establishment work relating to non-gazetted ministerial and class IV establishment of Chief Secretary's Branch including Telephone Operators and Junior Grade Clerks, Council House Guards, Malis, etc., of the Secretariat and arrangement of special messengers.

*III—Secretariat Administration Department (Accounts).—*The Department deals with the preparation of salary, travelling allowance and other bills of Ministers, Deputy Ministers, Parliamentary Secretaries, gazetted staff of the Chief Secretary's Branch and with other accounts work relating to these establishments, budget estimates for the entire Secretariat establishment, contingent expenditure; Chief Minister's Discretionary Grant, Pensions, Service Postage and General Provident Fund Accounts of the entire class IV establishment of the Secretariat. The work is divided into Pay-Bills Section, T.A. Bills Section, Treasurer's Section, Budget Section, Service Books Section and G.P.F. Section.

*IV—Secretariat Administration Department (Miscellaneous).—*The Department arranges for the distribution of letters to different departments, controls the Issue Section for outgoing post, and deals with supply of stationery to officers and departments, telephone, Council House Telephone Exchange, typewriters and duplicators, furniture and other stores, books, periodicals and newspapers, liveries and uniforms of class IV staff of the Secretariat, hot and cold weather arrangements and general maintenance, sanitation and cleanliness of Secretariat building and looks generally to all house-keeping functions. Important service units of this Department are the Secretariat Record Room, under the charge of an In-charge, which keeps old Government records of historical importance and reference value; the Secretariat Pass Office under an Assistant Superintendent; Stationery Section and a Care-Taker's unit with a Store Keeper.

3.2.8. There is a Secretariat Library under the charge of a Librarian of the status of a Superintendent of a department, which, although functions mainly as a reference library, has a good collection of general books on practically all subjects. Outsiders and Research scholars can, with permission from the Deputy Secretary, Secretariat Administration Department, consult the Secretariat Library and the Record Room.

### 3.3.—THE UTTAR PRADESH PUBLIC SERVICE COMMISSION

3.3.1. The earliest provision for establishment of a Public Service Commission in India was made in Section 96(C) of the Government of India Act, 1919. The case for establishing it was emphasised by the Royal Commission on the Superior Civil Service in India which was appointed in 1923 under the Chairmanship of Viscount Lee in the following words:

“Wherever democratic institutions exist, experience has shown that to secure an efficient Civil Service it is essential to protect it so far as possible from political or personal influence and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument, by which Government of whatever political complexion, may give effect to their policies. In countries where this principle has been neglected, and where the ‘spoils system’ has taken its place, an inefficient and disorganized Civil Service has been the inevitable result and corruption has been rampant. In America a Civil Service Commission has been constituted to control recruitment of the Services.....Canada, Australia and South Africa now possess Public or Civil Service Acts, regulating the position and control of the Public Service Commission to which the duty of administering the Acts is entrusted. It was this need which the framers of the Government of India Act had in mind when they made provision in Section 96-C for the establishment of a Public Service Commission.”

Following the recommendations of the Lee Commission, a central Public Service Commission<sup>6</sup> was established in India in 1926. Although the Lee Commission had recommended that the Provinces should set up their own Commissions, the central Public Service Commission had to make recruitment for Provincial Services also so long as separate Commissions were not set up in different Provinces.

3.3.2. The central Commission alone could not possibly meet all the requirements of the Provinces. Consequently a provision for setting up a Public Service Commission for each Province, or for a group of two or more Provinces, in addition to one for the Federation was made in Section 264 of the Government of India Act, 1935, which resulted in the constitution of the United Provinces Public Services Commission on April 1, 1937, which continued to function as such under the provisions of Articles 315 to 323 of the Constitution of India.

3.3.3. The salient features of the provisions made in the Con-

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6. On the enforcement of the Government of India Act 1935, this Commission came to be known as the Federal Public Service Commission. Since the enforcement of the Constitution of India it has come to be known as the Union Public Service Commission.

stitution regarding the composition of the Commission and the conditions of service of its members are as follows:

(1) The Chairman and other members are appointed by the Governor. As nearly as may be, one-half of the members of the Commission are to be persons who at the date of their respective appointments have held office for at least ten years under the Union or a State Government.

(2) A member of the Commission holds office for a term of six years from the date on which he enters upon his office or until he attains the age of sixty years whichever is earlier. It is open to him to resign his office, but he cannot be removed from his office except by the order of the President passed in the manner laid down in Article 317 of the Constitution.

(3) A person who holds office as a member of the Commission, is on the expiration of his term of office, ineligible for re-appointment to that office.

(4) On ceasing to hold office—

(a) the Chairman of the Commission is eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as Chairman of any other State Public Service Commission but not for any other employment either under the Government of India or under the Government of a State;

(b) a member (other than the Chairman) of the Commission is eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of that or any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State.

3.3.4. The functions of the Commission are laid down in Article 320 of the Constitution of India, according to which:

(1) It is duty of the Commission to conduct examinations for appointment to the services of the State.

(2) The Commission is to be consulted—<sup>7</sup>

(a) on all matters relating to methods of recruitment to civil services and civil posts;

(b) on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfer;

(c) on all disciplinary matters affecting a person serving the

7. This sub-para. contains provisions of Article 320(3) omitting portions which are not applicable to the State Commission.



Government of the State in a civil capacity, including memorials or petitions relating to such matters;

- (d) on any claim by or in respect of a person who is serving or has served the Government in a civil capacity, that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of the State;
- (e) on any claim for the award of a pension in respect of injuries sustained by a person while serving under the Government in a civil capacity, and any question as to the amount of any such award.

It is the duty of the Commission to advise on any matter so referred to them and on any other matters which the Governor may refer to them. The Constitution, however, empowers<sup>8</sup> the Governor to make regulations in respect of the services and posts in connection with the affairs of the State specifying matters in which either generally or in any particular class of service or post or in any particular circumstances, it is not necessary for the Commission to be consulted. The regulations made under these powers initially in 1937, are now known as "The Uttar Pradesh Public Service Commission (Limitation of Functions) Regulations, 1954". These regulations have to be laid before each House of the Legislature of the State for such modifications as both Houses may make.

3.3.5. Regulations determining the number of members of the Commission and their conditions of service as also making provisions with respect to the number of members of staff of the Commission and their conditions of service, mentioned at item Nos. 8 and 9 on page 68, and made by the Governor under the Government of India Act, 1935<sup>9</sup> still continue to be in force, as amended from time to time, under Article 318 of the Constitution of India.

3.3.6. While a beginning of the Commission was made with a Chairman and two other Members, the Commission now usually consists of a Chairman and three or four Members with the Secretary to the Commission as its chief executive officer, who is assisted by one Deputy Secretary, one Under Secretary, two Assistant Secretaries and five Superintendents. The office of the Commission is at Allahabad.

3.3.7. The Uttar Pradesh Public Service Commission is an independent statutory body, and its recommendations carry weight. Article 323(2) of the Constitution provides it to be the duty of the Commission to present annually to the Governor a report as to the work done by it and of the Governor to cause a copy thereof together

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8. Proviso to clause (3) of Article 320 of the Constitution of India. Similar provision existed in sub-section (3) of Section 266 of the Government of India Act, 1935.

9. Section 265(2) of the Act.



with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted. the reasons for such non-acceptance, to be laid before the Legislature of the State. Instances of non-acceptance of the advice of the Commission, are on the whole very few. The relations of the Commission with the various Departments of Government are co-ordinated through the Chief Minister and the Chief Secretary to Government, but in its day to day work and in the discharge of its statutory responsibilities, it deals directly with the different departments of the State Government and the various heads of departments.

3.3.8. Article 321 of the Constitution lays down that an Act made by the Legislature of a State may provide for the exercise of additional functions by the Commission as respects the services of the State and also as respects the services of any local authority or other body corporate constituted by law or of any public institution. The U.P. Nagar Mahapalika Adhiniyam, 1959 and the U.P. Kshetra Samitis and Zila Parishad Adhiniyam, 1961, have brought certain posts<sup>10</sup> and certain categories of posts<sup>11</sup> under the Nagar Mahapalikas (Municipal Corporations) and Zila Parishads within the purview of the Commission.

3.3.9. The expenses of the Commission including salaries, allowances and pensions payable to or in respect of the members of staff of the Commission are 'charged' on the Consolidated Fund of the State. Partly to ward off non-serious applications and partly to recover some of the expenses incurred by the Commission on advertisement, conduct of examinations, etc., the Commission have been authorised to realise cost of application form and to charge application, interview and examination fees from candidates.

3.3.10. The office of the Commission consists of the following sections:

- (i) General Section.
- (ii) Examination Section.
- (iii) Recruitment Section.
- (iv) Confidential Section.
- (v) Accounts Section.
- (vi) Records Section.
- (vii) Type and Issue Section.
- (viii) Library.

While the nature of work done in the various sections can be understood from their name it may be stated that the work relating to

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10. The posts of Up Nagar Adhikari, Sahayak Nagar Adhikari, Nagar Abhiyanta, Nagar Swasthya Adhikari, and Mukhya Nagar Lekha Parikshak in Nagar Mahapalikas and Karya Adhikari, Engineer (Abhiyanta), Tax Officer, Vitta Adhikari etc. in Zila Parishads.

11. *Fig.*, all posts carrying an initial salary of not less than Rs. 200 p.m.

office establishment is done in the Accounts Section, and the General Section deals with matters concerning promotions, confirmations, recruitment without advertisement under special circumstances, regularisation of temporary appointments, appeals and disciplinary cases, cases regarding extraordinary pensions and gratuity, service rules, etc.

3.3.11. For the benefit of prospective candidates the Commission has brought out a '*Manual of Information relating to Employment in Government Service in Uttar Pradesh through the Public Service Commission*' showing the qualifications prescribed for, age-limits and scales of pay of practically all the services and posts recruitment to which is made through the Commission either by competitive examination, or by selection after interview.

### 3.4.—CLASSIFICATION OF SERVICES, HEADS OF DEPARTMENTS AND HEADS OF OFFICES

3.4.1. *Classification of Services.* The Civil Services (Classification, Control and Appeal) Rules, made originally in 1930 by the Secretary of State for India in Council under Section 96-B of the Government of India Act, 1919 and which continue in force by virtue of Section 276 of the Government of India Act, 1935, and Article 313 of the Constitution of India, provide for the classification of public services in India under the following categories:

1. All-India Services.
2. The Central Services, Class I.
3. The Central Services, Class II.
4. The Provincial (now State) Services.
5. The Specialist Services.
6. The Subordinate Services.

A broad classifications from the point of view of the State Government would, however, be: (i) Services under the rule-making control of the Central Government and (ii) Services under the rule-making control of the State Government.

3.4.2. *Services under the rule-making control of the Central Government.* The All-India Services, with which the State Government are at present concerned, are—

- (i) The Indian Civil Service and the Indian Administrative Service (the latter constituted under Article 312 of the Constitution), both included in the Indian Administrative Service Cadre; and
- (ii) the Indian Police and Indian Police Service (the latter constituted under the same Article as mentioned above) both now forming the Indian Police Service Cadre.<sup>12</sup>

3.4.3. These All-India Services are common to the Union and the States and they serve both the Central as well as the State Governments. The strength of each of these services has been determined with reference to the needs of the Union and of the States. There are separate cadres for each State for these services, known as State Cadres of the I.A.S. or the I.P.S. Members of these services are governed, so far as their conditions of service are concerned, by the rules made by the Central Government. These rules cannot be altered or interpreted to the disadvantage of a member of the service except by the Government of India or with the approval of that Government. While serving under a State Government, members of these services come under the 'administrative control' of the State

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12. For details, see Chapter 3.1 dealing with Appointment Department.

Government, that is to say, their postings and transfers and other ancillary matters are the subjects of control by the State Government. The members have, however, a right of appeal or representation to the Central Government in cases in which they consider that their service rights have been infringed by an order of the State Government.

3.4.4. The other services formerly included in this category were Indian Agricultural Service, Indian Education Service, Indian Forest Service, Indian Medical Service, Indian Service of Engineers and Indian Veterinary Service. Recruitment to these services has long since stopped. The Government of India, however, introduced the All-India Services (Amendment) Bill, 1963 in the Parliament, which was enacted the same year, for reconstituting the Indian Service of Engineers for Irrigation, Power and Buildings and Roads Departments, the Indian Forest Service and the Indian Medical and Health Service. The Indian Forest Service has since been constituted with effect from July 1, 1966. They are considering the reconstitution of a few other services as well.

3.4.5. *Services under the rule-making control of the State Government.* The State Government exercises powers to make rules providing for the making of first appointment, methods of recruitment, number and character of posts and conditions of service, pay and allowances and pensions in respect of the Provincial (now State) Services and their Subordinate Services. It is the final authority in respect of matters connected with such services and no appeal or representation lies to any other authority outside the State.

3.4.6. The Provincial or the State Services consist of such services as the State Government may, from time to time, declare by notification in the Official Gazette to be included in that category. The services under the State Government are either "gazetted" or "non-gazetted". A gazetted officer is usually one who holds charge of an office. His duties are mostly supervisory or directory. His appointment, leave, transfer or posting is notified in the Gazette. On the recommendations of the Committee for the rationalization of the scales of pay and other conditions of service of various grades of the State Government employees appointed in July, 1964, the general pattern of State Services now is as follows:—

<i>Status</i>	<i>Pay-range</i>	<i>Classification</i>
Gazetted	The maximum of the pay scale of the post exceeds Rs. 900.	Class I
Gazetted	The maximum of the pay scale of the post does not exceed Rs. 900.	Class II
Non-gazetted	The minimum of the pay scale of the post is Rs. 100 or above.	Class III
Non-gazetted	All other posts at lower levels.	Class IV

3.4.7. The State Services were hitherto categorised as of the 'Junior Scale' of Rs. 250-850 [with a start of Rs. 300 for some of the important civil and engineering services and of Rs. 350 in the case of U.P. Civil Service (Judicial Branch)] and of the 'Senior Scale' of Rs. 500-1,200 for most of the services. Some of the services also carried higher selection grades, such as Rs. 900-1,250 for State Civil Service (Executive Branch), Rs. 600-1,200 for Civil and Sessions Judges and Rs. 800-1,800 for District and Sessions Judges, both the latter in the U.P. Higher Judicial Service. On the recommendation of the said Pay Rationalization Committee, the corresponding scale for most of the State Services is now Rs. 300-900 with a start of Rs. 350 p.m. for certain important services. Officers of the U.P. Police Service and Judicial Officers start at Rs. 325 p.m. There is a senior scale of Rs. 600-1,250 in the case of the U.P. Civil Service (Executive Branch) and a selection grade of Rs. 700-1,200 for officers of the U.P. Police Service. While there is no change in the pay scale of the post of District and Sessions Judge, the post of Civil and Sessions Judge is now in the scale of Rs. 600-1,250. All these services are of Class I or Class II as the case may be. There are also special scales of pay for senior posts such as those of Superintending Engineer, Conservator of Forests and for the posts of heads of departments. The members of the State Civil Service (Executive Branch) and the State Police Service are eligible for promotion to the Indian Administrative Service and the Indian Police Service respectively, in accordance with the rules made by the Central Government for the latter services.

3.4.8. Class III consists of the various subordinate and ministerial services, the inspecting staff, district level officers who are not in the gazetted category and other similar employees. Teachers and paid apprentices, though their starting salary or stipend is less than Rs. 100, are in Class III on the basis of status which their functions enjoy in the present social order. All other inferior posts which include those of unskilled labourers, peons, etc., are in Class IV.

3.4.9. The old classification of specialist services is now dying out and the solitary specialist posts, such as Superintendent, Printing and Stationery; Chemical Examiner to Government, etc., are now treated as posts belonging to one of the classifications of posts under the rule making control of the State Government.

3.4.10. *Heads of Departments, Principal Heads of Offices and other Heads of Offices.* "Heads of Departments" are officers who are in overall charge of the actual administration of specific services or administration and execution of projects, e.g., Commissioners of Divisions, Director of Education, Director of Industries, Inspector-General of Police, Transport Commissioner, Chief Engineers, etc. There are also Heads of Departments who are responsible for the collection of taxes and administration of laws relating to taxation, such as Board of Revenue; Commissioner, Sales Tax, etc. Government exercise control over the working of heads of departments through 'administrative departments' of the State Secretariat.

3.4.11. The funds voted by the Legislature are placed by the Finance Department and the administrative department concerned at the disposal of the heads of departments—it is only in respect of a few specified matters that certain funds are retained at the disposal of the Minister-in-charge. They are responsible to the Government for proper utilization of the funds so placed at their disposal and to render accounts to the Accountant-General, U.P., and through him to the Public Accounts Committee and the Legislature.

3.4.12. The running schemes are administered by Heads of Departments according to a pattern which had in the past received Government's sanction. New schemes are first considered by the Government either of their own accord or on reference made by Heads of Departments and such provisions, as are considered necessary, are made in budget. After the budget has been passed, they are directed to carry out the schemes according to the pattern formulated by Government and approved by the Legislature at the time the grant is voted. In conveying this authorization, each Head of Department is informed about the number of posts sanctioned for the scheme with their rates of pay and about other funds available to him for the execution of the departmental schemes.

3.4.13. A Head of Department enjoys specified financial and administrative powers delegated to him by the Government. Similarly, a Principal Head of Office also exercises such powers, but on a lower scale, and is in-charge of organizations smaller than those under a Head of Department. They are directly responsible to the Government for the proper working of their Departments and for implementation of schemes and governmental policies in various fields. Except for matters in which they are competent to take final decisions, all other issues are referred by them to Government for orders. Particulars of the Heads of Departments and Principal Heads of Offices are given in the list annexed to Chapter 2.4. (para 2.4.10).

3.4.14. A Head of Department (as also a Principal Head of Office) has under him officers-in-charge at regional or district level. There is in every district a representative of almost each department; supervision over departmental activities in a specified number of districts is done by a Regional Officer, *e.g.*, Deputy Director of Education, Deputy Director of Agriculture; Deputy Registrar, Co-operative Societies; Regional Food Controller; Regional Marketing Officer; General Manager, Roadways; Regional Transport Officer; Assistant Excise Commissioner, etc. Though overall superintendence of the departmental activities vests in a Head of Department or a Principal Head of Office, the Collector or a Deputy Commissioner of a district is kept in touch with those activities by the departmental district representative. A 'Head of Office', which means the highest gazetted officer of a local office, also exercises, individually or generally, some of the specified financial and administrative powers, as are exercised by a Head of a Department or a Principal Head of Office, but on a yet lower scale.



## Financial Organization

### 4.1. HISTORICAL DEVELOPMENT

4.1.1. With the assumption by the British Parliament after 1857 of direct responsibility for the administration of India under the Government of India Act, 1858, the Secretary of State for India was given statutory authority to superintend, direct and control all acts relating to the revenues of India and also for the control of expenditure. For administrative convenience, wide delegations were made in respect of expenditure which the Governor-General in Council could incur without previous reference to the Secretary of State for India, while the Government of India in its turn maintained by means of elaborate codes and regulations a complete and rigid control over provincial expenditure as also over resources. All proposals for provincial or central taxation required his previous sanction. All revenues of British India were vested in the Crown and the Provincial Government had no inherent legal right to the revenues which it raised. It remained entirely dependent on annual allotments by the Central Government for maintenance of its administration and even the most trivial expenditure required the sanction of the Government of India.

4.1.2. The foundation of the financial system in India on which stands the elaborate structure of today was laid by Mr. James Wilson, who was the first Minister of Finance in 1859. It was he who introduced for the first time into India the Income Tax and established a new system of accounts. Financial decentralization was started sometime in 1869 by Lord Mayo's Government under which the administration of certain departments<sup>1</sup> was transferred to Provincial Governments which were given a fixed grant for this purpose, which they could spend together with the departmental receipts and were also for the first time authorised to allot the revenues assigned to them at their discretion, subject to certain financial rules.<sup>2</sup> Additional delegations were made in 1877 during the Viceroyalty of Lord Lytton, when instead of giving fixed grants for the purpose, important heads of revenue, such as stamp duties, alcoholic excises and income-tax collected in the provinces were given over to the provinces

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1. Education, Police, Medical, etc.

2. Para 389, Report of the Indian Statutory Commission, 1930.



and the responsibility of provinces in regard to expenditure was extended to the departments of land revenue, general administration and law and justice. Special grants, however, from the Centre continued.

4.1.3. From 1882 began the development of the system of 'provincial financial settlements' which introduced 'divided' heads of revenue under which the income derived from the sources of revenue which were not Central, was distributed between the Central and provincial governments in arranged proportions, the provincial share being based on its supposed 'needs' but not on the locale of origin of the revenue and the Government of India retaining the remainder for expenditure on all-India matters. Revenue heads were classified into Indian, Provincial and 'divided'. The most important 'divided' heads were land revenue, income-tax, stamp, excise and irrigation.<sup>3</sup> Settlements on these lines were made with the provinces for five years and were revised in 1887, 1892 and 1897. As the function of the provincial government slowly expanded and began to spread into the sphere of social services, these settlements gradually assumed in 1904 a quasi-permanent character 'to give the local Governments a more independent position and a more substantial and enduring interest in the management of their resources than had previously been possible.'<sup>4</sup> A Royal Commission on Decentralization in India was also set up in 1908 but it could not suggest any radical change in the financial relation of the Central with the Provincial Governments. In 1912, Lord Hardinge's Government made the settlements permanent. Provincial share of revenues was increased and Government of India's intervention in the preparation of provincial budgets was curtailed.<sup>5</sup>

4.1.4. This intricate arrangement in which central control was inevitable, nevertheless, operated as an obstacle to the fulfilment of provincial fiscal needs. Government of India also controlled all taxation and borrowing and the provincial Governments had no separate resources on which they could depend in times of need. It was, therefore, felt very necessary to arrange entirely separate revenue sources for the provinces and to provide for a marked decontrol from the Centre on the provincial activities. A Committee consisting of Lord Montagu, Secretary of State for India and Lord Chelmsford, the then Governor-General was set up. The authors in their Report on Indian Constitutional Reforms, 1918 (more commonly known as Montagu-Chelmsford Report) went a long way in effecting delimitation of sources of revenue for purposes of provincial finance and separating them entirely from the resources of the Central Government.

4.1.5. The main recommendations in the Report were to abolish the 'divided' heads of revenue, to schedule certain subjects of taxation as reserved for the provinces and to retain the residuary powers

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3. Para 203, Montagu-Chelmsford Report, 1918.

4. Para 107, Op. Cit.

5. Paras 108 and 109, Op. Cit.

in the hands of the Government of India, to classify and separate the subjects and sources of revenue as 'provincial' and 'central' and to subdivide the 'provincial' subjects into 'transferred' and 'reserved.' It was also proposed to secure to the Central Government the expenditure required for the upkeep and development of the services which clearly appertained to the Indian sphere and to hand over all other revenues to the provincial Governments. The idea was that the first charge on provincial revenues was the contribution to the Government of India which was to be a definite proportion (87 per cent.) of the estimated provincial surplus, and which on the basis of the estimates for the year 1917-18, was initially proposed to be Rs. 327 lakhs for U.P.<sup>6</sup> Next in priority were the 'transferred' subjects and if revenues were insufficient for their needs the question of new taxation was to be decided by the Governor and the ministers.<sup>7</sup> The main aim was that, while the 'transferred' services could carry their weight, the administration of the 'reserved' subjects was to remain efficient and was not to suffer for want of money. An idea about the working of this principle can be had from the fact that during 1929-30 the estimated expenditure on 'reserved' items was Rs. 8.51 crores as against that of Rs. 3.88 crores on 'transferred' items.<sup>8</sup> The main 'reserved' subjects were Land Revenue Administration, Famine Relief, Administration of Justice, Police, Prisons, Irrigation and Canals, Water-power and Drainage, borrowing money on the credit of the province, Forests, Labour Relations and control of Newspapers, Books and Printing Presses;<sup>9</sup> the main 'transferred' subjects were Local-Self Government, Public Health and Medical Administration, Education of Indians, Public Works, Roads and Bridges, Agriculture and Fisheries, Cooperative Societies, Excise so far as alcoholic liquor and intoxicating drugs were concerned but excluding opium, development of Industries including Industrial Research and Technical Education.

4.1.6. The Montagu-Chelmsford Report was an important landmark in the history of financial devolution in India. The Government of India Act, 1919, which marked the era of the so-called 'Reforms' from 1920, embodied most of the recommendations made in the Report. The Report, was, however, not very well received<sup>10</sup> in this State because of the high initial contribution to the Government of India proposed in it. A Financial Relations Committee, also known as Meston Committee, was appointed primarily to devise a scheme of provincial contributions. The recommendations made by the Committee in 1920 were discussed further by the Joint Select Committee of the British Parliament. As a result of all these deliberations the fiscal relations between the Central Government and Provincial Government were laid down in the Devolution Rules, 1920, made under the Act of 1919. The first part of the Rules elaborated

6. Para 206, Montagu-Chelmsford Report, 1918.

7. Para 256, Op. Cit.

8. Para 416, Report of the Indian Statutory Commission, 1930.

9. Para 157, Op. Cit.

10. Para 393, Op. Cit.

the distinction between 'central' and 'provincial' subjects and subdivided the latter between 'reserved' and 'transferred'. The second part dealt with financial arrangements that governed the distribution of the sources of revenue between the Central and the Provincial Governments. For U.P., the contribution<sup>11</sup> to be made to meet the Central deficit was fixed at Rs. 240 lakhs, and the proportion in which it was to be reduced was specified in the Rules. It was gradually reduced and finally extinguished in 1927-28. Receipts in respect of irrigation, land revenue, forests, excise on alcoholic liquors and narcotics, stamps (both general and judicial) and minerals were made sources of provincial revenue. The Income-Tax collected in the Province was proposed earlier to be wholly an Indian receipt. Under the Rules, a share in the growth of its revenue, formed an important source of provincial receipts. The Provincial Government could also collect taxes, as were lawfully imposed for provincial purposes, though previous sanction of the Governor-General for introduction of any legislation in the provincial Council was necessary.

4.1.7. The control over the provincial finances, which down to 1920 was exercised by the Government of India directly and by the Secretary of State for India through the former, was passed on under the Government of India Act, 1919, to provincial legislatures. There was, however, no annual financial or appropriation Bill, except at the Centre, and Government's proposals for expenditure under various heads were, under the Act, laid before the legislature in the shape of a budget statement. The refusal of the legislature to vote a demand relating to 'reserved' subjects was not necessarily effective, as the Governor had the right of restoring a 'cut' made by the legislature, if he was satisfied that such a course was essential to the discharge of his responsibilities. Action in such cases was taken as though the money had been voted. In case demand for grant in a 'transferred' subject was rejected, the money could not lawfully be paid unless it was authorised by the Governor under the provisions of the Act, in cases of emergency for the safety or tranquillity of the State or for carrying on the work of any department, but nevertheless control over expenditure on such services had definitely passed to the provincial legislature.

4.1.8. To make relations between the Executive and the members of Legislature more intimate, and to familiarize the members with the process of administration, a Standing Finance Committee was attached to the Legislature to scrutinise proposals for fresh expenditure and suggest economies. This Committee continued to function up to 1957.

4.1.9. Although the Reforms of 1920 had decentralized the central and provincial finance and had allocated separate sources of revenue to each, the revenues allotted to the Provinces were found to be insufficient and inelastic<sup>12</sup> because of restricted powers of taxation

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11. Para 396, Op. Cit.

12. Para 158, Part II of Report, Op. Cit.

and borrowing. The programmes of future political and financial reforms were formulated by the Indian Statutory Commission, 1930. It resulted in the passing of the Government of India Act, 1935, providing for a Federation for the whole of India and Provincial autonomy. The subjects for purposes of making laws (including taxation laws) were classified as Federal, Provincial and Concurrent, the Federal Legislature having concurrent powers of legislation with the provincial legislature in the case of only the last classification. The division of subjects as 'Reserved' and 'Transferred' was abolished. The Provincial List remained much the same as before. Arrangements were made for distribution of revenue raised by most of Central taxes to the provinces by means of a system of grants-in-aid by the Centre to the Provinces. The Provincial Government could also borrow<sup>13</sup> upon the security of the revenues of the Province up to the limits fixed by an Act of the Provincial Legislature and the Centre too could give guarantees in respect of such loans raised by the Province.

4.1.10. After Independence of the country, the Constitution of India followed, to a large extent, the allocation of revenues between the Centre and the States (old 'Provinces') as in the Government of India Act, 1935. An important financial provision of the Constitution (Article 280) is the constitution of a Finance Commission approximately every fifth year<sup>14</sup> to make *inter alia* recommendations to the President of India, regarding the distribution of the net proceeds of the taxes between the Union and the States and the principles which shall govern the giving of grants-in-aid to the States according to their needs. Before it was constituted, the allocation of central revenues between the Centre and the States, specially the income tax, had received detailed attention from time to time<sup>15</sup> since the passing of the Government of India Act, 1935. An important procedural change was the provision for the introduction of an Appropriation Bill in the Legislature (Article 204) which, after it is passed, becomes the Annual Appropriation Act and provides for the expenditure of moneys out of the Consolidated Fund of the State. The equivalent provisions of the Government of India Act, 1935 required the budget to be placed before the Legislature in the form of an annual financial statement to be authenticated subsequently by the Governor who had the power of veto in certain cases.<sup>16</sup>

13. Section 163 of the Government of India Act, 1935.

14. The fourth and the fifth Finance Commissions were constituted in May, 1964 and March, 1968 respectively.

15. Reports of Sir Otto Niemayar and Mr. C. D. Deshmukh (1950).

16. Sections 78 to 80 of the Government of India Act, 1935.

## 4.2. FINANCE DEPARTMENT AT THE SECRETARIAT

4.2.1. In the initial stages of the establishment of a regular Secretariat in this State under the British régime, financial matters were looked after by the Chief Secretary to Government with the help of a Junior Secretary, but as work increased it was placed in 1884 under a whole-time Finance Secretary, who along with financial matters also looked after matters relating to Local Self-Government, Municipal, Medical, Sanitation, Industries Departments, etc. The Government of India Act, 1919 and the consequent introduction of Reforms made it necessary to reorganize the Secretariat. The Finance Department had a peculiar and distinctive position in the administrative system under the dyarchy, for, its functions, which included control of expenditure, brought it into intimate contact with all other departments. For these considerations, the Department was made a separate unit of the Secretariat from 1921. It consisted of three Sections, one dealing with Audit, Expenditure and Opium, another dealing with Budget, Excise and Stamps and the third one dealing with Debt and Deposit, Local Finance and Income-Tax (now a Central subject). The subjects of Excise and Opium were later transferred to Industries Department. This arrangement continued until 1937 when the Department was reorganized for the first time and a Finance (Accounts) Section was added. The Second World War had created numerous problems in connection with the procurement of foodgrains and other civil supplies. A new Section, viz., Finance (Supply) was added in 1943 for dealing with the financial aspects of these schemes. The increase in work all round necessitated the reorganization of the Department for a second time, when in 1949 it was divided into eight Sections. The main feature of this re-organization was that the disposal of the work in respect of the scrutiny of expenditure, formerly done in the Budget Section, was distributed between three Expenditure Control Sections, allocating the work of Finance (Supply) to another Section and creation of a new Section for dealing with financial services and administration of Sales Tax. Two more Sections, viz., Finance (Inspection, Economy and Reorganization), later known as Finance (Co-ordination), and Finance (Planning and Resources) were added in 1953. The circumstances under which the Finance Department was separated in 1921 from the rest of the Secretariat, later on ceased to exist. No advantage was either noticed in keeping it as a separate unit. It was, therefore, merged with the General Secretariat in September, 1957.

4.2.2. The Finance Department consists of thirteen Sections at the State Secretariat and seven other subordinate offices; the latter are Office of the Sales Tax Commissioner, U.P., Lucknow; Office of the Inspector General of Registration and Chief Inspector of Stamps, U.P., Allahabad; Examiner, Local Fund Accounts, U.P., Allahabad; Chief Audit Officer, Cooperative and Panchayat Audit Organizations, U.P., Lucknow; Registrar, Firms and Societies, U.P., Lucknow; Director of Treasuries, U.P., Lucknow and Director, National Savings,



U.P., Lucknow.<sup>17</sup> The portfolio of Finance is held by Minister for Finance.

#### 4.2.3. *Secretariat.* The Secretariat Officers comprise of:

Commissioner and Secretary, Finance. Also Director, National Savings, U.P.	1
Special Secretary	1
Joint Secretary	1
Deputy Secretaries (one is also Deputy Director, National Savings and another is also Director of Treasuries, U.P.)	8
Under Secretaries	3
Assistant Secretaries	5
Superintendents	13
Mukhya Vitta Adhikari (Zila Parishad)	1
Research Officers	2

4.2.4. The matters dealt with in the different Sections<sup>18</sup> of the Department are as below:

##### (1) *Finance (Accounts—I) Section*

The Section deals with the general accounts rules intended for officers of all departments in their day-to-day business along with those which relate only to Public Works and Forest accounts, delegation of general financial powers to subordinate authorities; losses, embezzlements, financial irregularities and audit objections, and taking of remedial measures in consultation with the Accountant-General where any lacunae in the rules are noticed, matters regarding treasuries and sub-treasuries<sup>19</sup> in the State, treasury rules and procedures observed in respect of transactions with the public and departments of Government, opening of the branches of State Bank of India for carrying out Government business, presentation of Appropriation and Finance Accounts and Audit Reports<sup>20</sup> thereon to the Legislature under Article 151(2) of the Constitution of India.

##### (2) *Finance (Accounts—II) Section*

The Section deals with Profit and Loss Account and Balance Sheet of the Food Grain Supply Schemes, financial arrangements for the supply of foodgrains by the Government of India to this State and by this State to other States, adjustments of internal debits through the Regional Accounts Officers and Senior Accounts Officer (Headquarters), etc.

17. See Chapter 8.12. on National Savings Organization.

18. These Sections, though they function as parts of the Finance Department, are in practice called by the name of the Department, e.g. Finance (Accounts-I) Department, Finance (Services) Department, etc. Each such Section or Department, as it is called, functions independently under charge of a Superintendent.

19. A treasury exists at the headquarters of every district. Sub-treasuries exist normally at tahsil headquarters, with the Tahsildar as Sub-Treasury Officer.

20. Further action on these Reports is taken by the Legislative Assembly and Council Secretariats.

(3) *Finance (Budget—I) Section*

The Section deals with State Borrowings, Ways and Means, Debt and Deposits, Interest, matters concerning the Public Account of the State, compilation of budget estimates, Appropriation Bill, Excess Grants, Shares and Securities inherited from the merged States, State Accounts, Cash balances in treasuries, U.P. Contingency Fund, Scrutiny of estimates of Public Debt under the Encumbered Estates Act and of the Zamindari Abolition Fund and Foreign Exchange.

(4) *Finance (Budget—II) Section*

The Section deals mainly with the loans and advances by the State Government, investigation and scrutiny of general financial matters and those concerning companies and banks with which Government are associated because of investments made in their share capital or otherwise, guarantees by the State Government in favour of outside bodies, procedural matters concerning the Budget, etc.

(5), (6) and (7) *Finance (Expenditure Control I, II and III) Sections*

These Sections deal with financial review and scrutiny of receipt and expenditure under various grants, issue of financial sanctions relating to those grants including proposals for creation of posts and grants of special pays or allowances, etc. The work relating to the various administrative departments of the Secretariat is distributed mostly between these expenditure control sections.

(8) *Finance (Co-ordination) Section<sup>21</sup>*

The Section deals mainly with economy proposals, economy committees, Estimates Committee of the Legislature, inspection of accounts in various offices through the agency of accounts officers and with financial review and scrutiny of receipts and expenditure relating to 'Administration of Justice', 'Excise' and 'Civil Works'.

(9) *Finance (General—I) Section*

The Section deals generally with the provisions contained in Fundamental and Subsidiary Rules providing for pay and allowances of government servants and the matters regulating the gradings or cadre and emoluments for posts under the State Government.

(10) *Finance (General—II) Section*

The Section deals with matters relating to travelling allowance rules, pensions, gratuities, re-employment of pensioners, commutation of pensions, Provident Funds, Postal and State Insurance, Leave, etc. (The Finance Secretary is the Administrator of the State Insurance Fund).

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21. It was known as Finance (Expenditure Control-IV) Section with effect from October 4, 1968.



(11) *Finance (Services) Section*

The Section deals with matters connected with the staff of the Finance Department and of the Treasury Officers, Accounts Officers and Senior Accounts Officers in the U.P. Finance and Accounts Service, other subordinate staff employed in treasuries and sub-treasuries, Government Treasurers, Tahvildars, Money Testers and Potdars, etc., and with all matters concerning the Local Fund Audit Organization.

(12) *Finance (Audit and Sales Tax) Section*

This Section deals with matters relating to the Registration and the Stamps Departments, Indian Stamps Act, 1899 and Indian Court Fees Act, 1870, Cooperative Audit Organization, Panchayat Audit Organization, Sales Tax, Professions, Trades, Callings and Employments Tax and the administration of India Partnership Act, Societies Registration Act, Indian Companies Act, Banking Companies Act and Chartered Accountants Act in their application to the affairs of the State Government.

(13) *Finance (Planning and Resources) Section*

The Section deals with the financial aspects of the State Five-Year Plans, e.g., examination of the adequacy of available resources,<sup>22</sup> exploring the possibilities of additional taxation, collection and compilation of progressive figures of Plan expenditure; comparative study of tax structure of various States; collections under State taxes and Central Assistance.

4.2.5. The duties of the Finance Department are largely advisory. It examines and reports on all schemes of new expenditure, on questions relating to establishments and on taxation. It is consulted before the issue of orders upon all proposals which effect the finances of the State and in particular—

- (i) which relate to the number or grading or cadre of posts or the emoluments and allowances or other conditions of service and posts,
- (ii) which involve relinquishment of revenue or involve any grant of land or assignment of revenue or any concession or involve an expenditure for which no provision has been made in the Appropriation Act, and
- (iii) which involve relaxation of any financial rule or serious financial irregularity.

In consequence of the powers of clearance which the Finance Department exercises in all matters where expenditure or funds are to be

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22. The U.P. State Lottery Scheme providing for the conduct of lotteries under the auspices of Government for the purpose of raising resources needed for financing some of the development activities or schemes of public utility was introduced in December, 1968. The Scheme was administered, to begin with by the State Finance Department under the U.P. State Lottery Rules, 1968, through the Director of State Lottery, Lucknow.

sanctioned, its control and superintendence over the working of the entire Government is extensive.

4.2.6: The important committees for examining the matter of pay-structure for State-Government employees, and making suitable recommendations, were the U.P. Pay Committee set up by the Government in 1946 under the Chairmanship of Sri Sampurnanand, then Minister for Education and Finance and the U.P. Pay Rationalization Committee set up in 1964 under the Chairmanship of Sri B. Mukerji, retired Judge of the Allahabad High Court. These Committees submitted their reports in 1947 and 1965 respectively. The reports also contained recommendations in respect of the conditions of service of these employees as also about the fringe benefits and amenities which should be provided for them. The Government also appointed in 1967 a one-man Commission of Inquiry consisting of Sri R. N. Sharma, retired Judge of the Allahabad High Court for the purpose of making an inquiry into the rates of dearness allowance to its employees keeping in view, *inter alia*, the rising prices, the needs of the State's developing economy and the financial resources of the State. The Commission submitted its report the same year.

4.2.7. Government had felt an urgent need for augmenting resources of the State from taxation and other measures for implementation of development plans and filling the gap on Revenue account. They appointed in September, 1968, a Taxation Enquiry Committee under the Chairmanship of Shri J. D. Shukla, ICS, Member, Land Reforms, Board of Revenue, with five other members, to study the existing tax and non-tax revenue resources, both at the level of the State and local bodies; to assess the incidence of taxation on various classes of people and advise on its revision, where necessary; to study the present system of tax administration in the State and suggest suitable changes; to investigate and report on the position of arrears of outstanding dues of the State Government indicating the steps which could be taken to recover them, etc. The terms of reference of the Committee were broad based and extensive and included the study of the system of payment of tuition fees by students and to recommend whether, and to what extent, any upward revision was justified. An officer of the Reserve Bank of India dealing with comparative State finances acted as an Adviser to the Committee. [The Committee submitted its report to the Government in February, 1969]

#### Acts, Rules and Manuals pertaining to Finance Department

Sl. No.	Name of Act, Rule, Regulation, Manual, etc.	Year	Authority under which enacted or framed
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#### Acts

- |    |                                |      |                     |
|----|--------------------------------|------|---------------------|
| 1. | The Societies Registration Act | 1860 | Government of India |
| 2. | The Court Fees Act             | 1870 | Government of India |

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed.</i>
<i>Acts</i>			
3.	The Court Fees (Remissions) Act	1950	State Government
4.	The Pensions Act	1871	Government of India
5.	The Indian Stamps Act	1899	-do-
6.	The Indian Registration Act	1908	-do-
7.	The Indian Securities Act	1920	-do-
8.	The Provident Fund Act	1925	-do-
9.	The Provident Fund (U. P. Amendment) Act	1948	State Government
10.	The Indian Partnership Act	1932	Government of India
11.	The Public Debt Act	1944	-do-
12.	The U. P. Sales Tax Act	1948	State Government
13.	The Sales Tax (Validation) Act	1958	-do-
14.	The Central Sales Tax Act	1956	Government of India
15.	The Sales Tax Laws Validation Act	1956	-do-
16.	The Banking Companies Act	1949	-do-
17.	The U. P. Contingency Fund Act	1950	State Government
18.	The Indian Companies Act	1956	Government of India
19.	The U. P. Professions, Trades, Callings & Employments Tax Act.	1965	State Government
<i>Rules</i>			
1.	The U.P. Civil Pension (Commutation) Rules	1959	State Government
2.	The U. P. Liberalised Pension Rules	1961	-do-
3.	The U. P. Retirement Benefits Rules	1961	-do-
4.	The U.P. Civil Service (Extraordinary Pension) Rules	1961	-do-
5.	Calculation of Stamp Duty Rules	1931	-do-
6.	The Contributory Provident Fund Rules	1948	-do-
7.	The General Provident Fund Rules	1952	-do-
8.	The U.P. Contributory Provident Fund Pension Insurance Rules	1959	-do-
9.	The Public Debt Rules		Government of India

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
10.	The U. P. Sales Tax Rules	1948	State Government
11.	The U. P. Central Sales Tax Rules	1957	-do-
12.	The Central Sales Tax (Registration & Turn Over) Rules	1957	Government of India
13.	The U. P. Contingency Fund Rules	1962	State Government
14.	U.P. State Insurance & Endowment Assurance Rules	1949	-do-
15.	U.P. Professions. Trades, Callings and Employments, Tax Rules	1966	-do-
<i>Manuals, Reports, etc.</i>			
1.	Financial Hand Book, Vol I	1951	-do-
2.	„ „ „ Vol. II, Pt. I	1942	Government of India
3.	„ „ „ Vol. II, Parts II-IV	1942	State Government
4.	„ „ „ Vol. III		-do-
5.	„ „ „ Vol. IV	Not yet ready	
6.	„ „ „ Vol. V, Pt. I	1952	-do-
7.	„ „ „ Vol. V, Pt. II	1952	-do-
8.	„ „ „ Vol. VI	1952	-do-
9.	„ „ „ Vol. VII	1937	-do-
10.	U. P. Audit & Accounts Rules		-do-
11.	Sub-Treasury Manual	1940	-do-
12.	Compilation of Central Government Treasury Rules		
13.	Book of Forms	1958	-do-
14.	Resource Manual	1929	Government of India
15.	Indian Securities Manual		-do-
16.	Local Fund Audit Manual		State Government
17.	Registration Manual, Part I	1959	-do-
18.	Registration Manual Part II	1959	-do-
19.	U.P. Stamp Manual	1945	-do-
20.	Sales Tax Manual	1962	-do-

94. THE ORGANIZATION OF THE GOVERNMENT OF UTTAR PRADESH

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
21.	U. P. Budget Manual	1962	State Government
22.	The Treasury Manual	—	Accountant-General, U.P.
23.	Report of the U.P. Pay Committee with Government Resolution on it.	1947	State Government
24.	Report of the U.P. Pay Rationalization Committee with Government Resolution on it.	1965	-do-

Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1.	Annual Report of the Local Fund Audit Department	April-March	1947	Examiner. Local Fund Accounts

### 4.3. FINANCIAL ADMINISTRATION

4.3.1. *The Budget.* In accordance with the rules made by the Governor under Article 166(2) and (3) of the Constitution and the instructions issued thereunder, it is the responsibility of the Finance Department to prepare a statement of estimated revenue and expenditure, known as the Annual Financial Statement or the 'Budget' to be laid before the Legislature in each year.<sup>23</sup> It is prepared on the basis of the material furnished by the departmental officers and the administrative departments of the Secretariat in the manner laid down in the Budget Manual of the State Government and is scrutinized by the Finance Department with due regard to the explanations furnished by the estimating officers, the comments of the Accountant General and the recommendations of the administrative departments concerned.

4.3.2. All receipts and disbursements of the State Government are shown in three separate parts, namely—

#### *Part I—Consolidated Fund of the State*

All moneys received and owned by the State Government form the Consolidated Fund of the State. No money out of this Fund can be appropriated, i.e., authorized for expenditure, except in accordance with law and for the purposes and in the manner provided in the Constitution. The expenditure is classified as follows:

- (i) Expenditure 'Charged'<sup>24</sup> upon the Fund, which is not submitted to the Vote of the Legislative Assembly, and items which are not so 'charged', and
- (ii) Expenditure on:
  - (a) Revenue Account, which includes expenditure met from the current income derived from taxes and duties, fines and fees, services rendered, and
  - (b) Capital Account, which includes expenditure incurred with the object either of increasing concrete assets of a material character or of reducing recurring liabilities. It is usually met from borrowed funds or accumulated cash balances.

The third Account is Debt and comprises of Loans raised by Government, temporary loans classed as 'Floating Debt' as well as other loans and 'Loans and Advances made by Government' together with repayments and recoveries.

#### *Part II—Contingency Fund of the State*

Under Article 267(2) of the Constitution, the State Legislature

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23. Govt. accounts are maintained on a cash basis and cover a period of twelve months commencing on April 1 and ending on March 31, following—more commonly known as 'financial year'.

24. For details, see Art. 202(3), 229(3) and 322 of the Constitution of India.



has established through the U.P. Contingency Fund Act, 1950, a Contingency Fund which is of the nature of an imprest and enables the executive to meet unforeseen expenditure of an urgent nature not contemplated in the original budget before it can be approved by the Legislature, pending authorization of such expenditure in the shape of supplementary, additional or exceptional grants by the Legislature. The Fund has been established by withdrawing a sum of rupees four crores out of the Consolidated Fund of the State, and is administered by the Secretary to Government, Finance Department, on behalf and in the name of the Governor in the manner prescribed in the U.P. Contingency Fund Rules, 1962.

### *Part III—Public Account of the State*

Receipts and disbursements in respect of certain deposits, reserve funds, etc., which do not form part of the Consolidated Fund are included in this Account. Disbursements from Public Account are not subjected to a vote by the Legislature as they are not moneys issued out of the Consolidated Fund. The main divisions of Public Accounts are (i) Unfunded Debts, Deposits and Advances and (ii) Remittances. 'Unfunded Debts' include a number of interest-bearing obligations of Government in respect of funds deposited with them, such as Provident and Insurance Funds for government employees. 'Deposits and Advances' include various Reserve Funds fed by contributions from the Consolidated Fund of the State, such as the U.P. Famine Relief Fund fed from assignments made to it from State Revenues from time to time for use on famine relief schemes; the U.P. Zamindari Abolition Fund created in 1949 with an initial transfer of revenue amounting to rupees one crore and the deposits made by tenants and sirdars for the acquisition of bhumidhari rights; the Revenue Reserve Fund instituted since 1941-42 for post-war development of the State and now used to cover revenue deficit in any year arising from increased developmental activities or any other reasons, and fed from revenue surplus which the accounts for any year may disclose; the U.P. Road Fund fed from receipts under the U.P. Motor Vehicles (Taxation) Act and created to provide for road development in the State; depreciation reserve funds and particularly those in respect of public undertakings to provide for renewal and replacement of plants and machinery; other deposit accounts such as current accounts of Local Funds and other local authorities who are permitted to bank with Government treasuries; transactions relating to sums deposited by the members of public with the Government in the daily course of public business, such as deposits made by a contractor as security or by a litigant in a court or by a local body for execution of any project by Government agency; funds accumulated from grants made by another Government and outside agency, such as Central Road Fund; deposit accounts of grants made by the Indian Council of Agricultural Research and various Indian Central Commodity Committees of the Agriculture Department and other advances granted to government servants for financing specific schemes, etc. 'Remittances' comprise merely of adjustments between treasuries and transfers between different accounting circles.



4.3.3. The Budget, including the items of new expenditure is presented under Article 202 of the Constitution to both Houses of Legislature for a general discussion. After voting of the demands for grants has taken place in the Legislative Assembly for appropriation of funds for expenditure, an Appropriation Bill providing for such voted demands for grants and expenditure charged on the Consolidated Fund, is introduced in the Legislative Assembly which has to go before both the Houses in accordance with the procedure laid down in the Constitution and as regulated by the Rules of Procedure and Conduct of Business of the Legislative Assembly and Legislative Council. The assent of the Governor to the Bill is obtained and the amounts shown in the Act and the Schedule thereto for each Grant become the sanctioned grants for expenditure under the various Demands. The Budget Literature, which is supplied to the Legislature, consists of five volumes, viz.:

Volume I—The Finance Minister's Budget Speech.

Volume II—The Finance Secretary's Memorandum on the Budget containing a brief review of the finances of the State.

Volume III—List of new items of expenditure included in the estimates of the budget year.

Volume IV—Consolidated detailed estimates of expenditure and receipts (both Plan and non-Plan).

Volume V—Detailed estimates of expenditure on Plan Schemes.

4.3.4. Provision of funds in the budget by itself conveys no sanction to the subordinate authorities to incur expenditure. It has to be sanctioned by a competent authority except where it is covered by standing sanctions or necessary powers have been delegated to expending authorities with the concurrence of Finance Department.

4.3.5. *Control on Expenditure*: It is the duty of the departmental authorities as are made responsible for the control of expenditure for any head of account, more commonly known as Controlling Officers, to see that all sums due to Government are assessed regularly and promptly, realised and credited into the Government account. The Accountant General is supposed to keep a watch and immediately to report to the Finance Department any large increase or falling off in these receipts.

4.3.6. The authority administering a grant is also responsible for watching the progress of expenditure under its control and for keeping it within the sanctioned grant or appropriation. It is the responsibility of the Finance Department to watch regularly through the administrative departments of the Secretariat and controlling officers the Government's balances and their ways and means operations. The Accountant General helps the Department in this task by furnishing it with the figures of receipts and outgoings of each month.

4.3.7. The progress of expenditure and careful assessment of the commitments and liabilities may indicate savings in appropriations

under certain heads within a Grant. These can be re-appropriated by Finance Department or other controlling authorities, subject to certain restrictions and limitations, to meet requirements for additional funds under other heads within the same Grant. When the total authorised appropriation for a Grant is found short of the actual requirements, a supplementary grant has to be obtained passing through the same stages of legislative procedure as the original grant or appropriation.

4.3.8. *Votes on Account*: According to the usual procedure, the annual financial statement for a financial year is required to be presented to the Assembly in the month of February|March of the preceding year. In special circumstances, such as when it is foreseen that a new Legislature will be meeting shortly on the basis of new elections for the House of Legislature and when a new Government is likely to be formed, it is not considered appropriate for the Government to initiate any new policies or to commit the sitting House to any new expenditure in the ensuing financial year, because a new Government must have the opportunity of deciding upon them in accordance with its own policies. It is obvious that a full budget embodying the policies and programmes of the Government for that year cannot be presented just then. Since it takes some time before a new Government can formulate its policies and finalize its budget proposals, and before they are approved by new Legislature, it is necessary to provide funds required by the administration for continuing the existing services and schemes already approved by the House. It is customary in these circumstances to request the existing sitting House, under Article 206 of the Constitution of India, to make a grant in advance, more generally known as "Votes on Account", to cover the expenditure likely to be incurred during the first three months or so of the next financial year, pending the completion of the normal procedure described earlier for the voting of such grant by the new Legislature and the passing of the Appropriation Act in relation to that expenditure. Thus, for a "votes on Account" only a provisional annual financial statement for the whole of the next financial year in the form of an abstract budget (excluding new items of expenditure) and showing the estimates of expenditure likely to be incurred during the first three months or so of that year, is laid before the House.

#### 4.4.—FINANCIAL CONTROL AND CO-ORDINATION

##### I

*Comptroller and Auditor General of India*

*Accountant General, U.P.*

*Appropriation and Finance Accounts and Audit Reports thereon  
Committee on Public Accounts*

4.4.1. The Comptroller and Auditor General of India is the highest authority in India to watch on behalf of the Legislature how far its wishes as expressed through the Appropriation Acts, are carried out by Government in spending public funds and to see how far Government and its subordinate authorities work within the framework of financial codes and rules. The office he holds is independent of the Executive and the Legislature and he is responsible to the President of India (i) for the efficiency of audit of expenditure from government revenues, (ii) for the compilation of accounts he has to audit, viz., the Finance Accounts for each financial year, and (iii) for preparing annual Appropriation Accounts and Audit Report. The Finance Accounts present the accounts of the receipts and outgoings of the Government for the year, and the Appropriation Accounts and Audit Report present the audited accounts of all the expenditure of the year in the form of a separate appropriation account for each Grant with any important observations which it is considered necessary to make as a result of the audit investigation. All this work in the State is handled by the Accountant General, U.P. whose office is located at Allahabad and who works as an agent of the Comptroller and Auditor General.

4.4.2. After these reports along with the certificate and comments, if any, of the Comptroller and Auditor General of India, have been laid before the Legislature in the manner prescribed in Article 151(2) of the Constitution of India, they stand referred to the Committee on Public Accounts. This Committee, consisting of members of Legislative Assembly, deals with financial irregularities in the departments of the Government with the help of these reports and satisfies itself that the money voted by the Legislature was spent within the scope of the demand. The Comptroller and Auditor General, or the Accountant General, U.P. as his representative, and the Finance Secretary or his representative are invited to attend the meetings of the Committee and to offer their advice on any matter which comes under discussion. The Government departments concerned are asked to take necessary action on the comments and recommendations and to report compliance within a reasonable time. If, after all these deliberations, it is found that money has been spent on any service in the past year in excess of the amount granted for that service, a demand for an Excess Grant can be presented to the Legislature to regularise the matter.

## II

4.4.3. *Committee on Estimates*: It is a Committee constituted by the Legislative Assembly for examining such of the estimates of expenditure as it may wish to examine or are specifically referred to it by the House. The main functions of the Committee are to report what economies, improvements in organization, efficiency or administrative reform, consistent with the policy underlying the estimates, can be effected and to suggest alternative policies in order to bring about efficiency and economy in administration.

## III

4.4.4. Elaborate sets of rules exist to guide the 'controlling authorities' in their day-to-day transactions and it is their duty to see that the public moneys are spent within the framework of the rules and financial procedure. The following broad principles have, however, always to be kept in mind while spending public moneys:

- (i) The expenditure should be sanctioned by the authority competent to sanction such expenditure;
- (ii) Sufficient funds should have been provided for the expenditure in the Appropriation Act or by re-appropriation by the authority competent to sanction re-appropriation; and
- (iii) No breach of the standards of financial propriety, which are mentioned below, is involved:
  - (1) The expenditure should not be *prima facie* more than the occasion demands. Every government servant should exercise the same vigilance and care in respect of expenditure from public moneys under his control as a person of ordinary prudence would exercise in respect of expenditure of his own money.
  - (2) Public money should not be utilized for the benefit of a particular person or section of the community unless—
    - (a) the amount of expenditure involved is insignificant, or
    - (b) a claim for the amount can be enforced in a court of law, or
    - (c) the expenditure is in pursuance of a recognised policy or custom.
  - (3) No authority should exercise its power of sanctioning expenditure to pass an order directly or indirectly to its own advantage.
  - (4) The amount of allowances, such as travelling allowances, granted to meet expenditure of a particular type, should be so regulated that the allowances are not on the whole sources of profit to the recipients.

4.4.5. A watch over the transactions is kept through periodical statements of expenditure and liabilities and those of anticipated excess or savings. The Accountant General, as already indicated earlier, plays significant role in keeping watch on the progress of receipts and

expenditure, and on any abnormal rise or fall in these from time to time.

#### IV

4.4.6. Much of the departmental financial control is exercised through the officers of the U.P. Finance & Accounts Service, viz., the Senior Accounts Officers and Accounts Officers posted with most of the heads of departments and the Treasury Officers who are incharge of Government treasuries in districts for handling money transactions.

4.4.7. *Accounts Officers:* Senior Accounts Officers are posted at the headquarters of the Finance Department and with most of the heads of departments who have a large transaction of government business, viz., Board of Revenue, Commissioner for Agricultural Production & Rural Development, Consolidation Commissioner, Chief Engineer, P.W.D., Director of Medical and Health Services, Director of Industries, Director of Education and Registrar, Cooperative Societies, while Accounts Officers are posted with others having lesser transactions, viz., Chief Engineer, L.S.G.E.D., Director of Animal Husbandry, Director of Panchayats; Commissioner, Relief and Rehabilitation; Chief Conservator of Forests; Secretary, Board of High School and Intermediate Education; Labour Commissioner; Regional Food Controllers and at Medical Colleges at Kanpur and Lucknow. The post of Chief Audit Officer of the Cooperative and Panchayat Audit Organization is held by a Senior Accounts Officer and that of Deputy Chief Audit Officer of the same organization by an Accounts Officer. All these officers act as Financial Controllers-cum-Financial Advisers to the heads of departments to whom they are attached and see that no wasteful or avoidable expenditure is incurred in their departments. They are responsible for proper maintenance of accounts as also for carrying out 'continuous administrative audit for internal control'.

4.4.8. *Treasury Officers:* The immediate executive control of the District Government Treasury vests in the Treasury Officer. His duties chiefly consist of authorizing payments of all kinds of bills as are supported by proper sanctions; disbursement of pensions of State Government pensioners as also Civil and Military Pensions of the Government of India; custody of stocks of stamps, opium and valuables in the treasury and maintenance of the initial accounts of all receipts and payments of Government money in the treasury and sub-treasuries of the district for use by the Accountant General. He is also required to inspect the work in the sub-treasuries in the district. He is responsible to the Government and the Accountant General for the validity of every claim passed by him for payment. For day-to-day administrative purposes, he works under the District Magistrate.

4.4.9. A Treasury is divided into two Sections, a Cash Section under a Government Treasurer and an Accounts Section under a Head Clerk. The Government Treasurer is responsible for handling cash, stamps and opium transactions in a non-banking treasury. At places where there is a branch of the State Bank of India, the cash business

of the treasury is conducted by that Branch. The Treasurer also disburses pay and allowances to the Collectorate and Treasury officials and petty pensions to pensioners. He has subordinate cashier staff under him, viz., tahvildars, stamps vendors and money testers at the headquarters treasury and sub-treasuries to help him in the discharge of his duties. He undertakes to indemnify Government against losses occurring through fraud or negligence of his subordinates and for this purpose, he furnishes a heavy security to Government. The Accounts Section keeps the accounts of all Government receipts and payments and also the accounts of payment of principal and interest on Government securities and maintains personal ledger accounts of various authorities and of local bodies. The ministerial staff in a Treasury which formerly formed part of the Collectorate staff, has been separated from the latter and has been brought under the administrative control of the Finance Department from April, 1958.

4.4.10. *Directorate of Treasuries*: The treasuries occupy a pivotal position in our financial system. The bulk of Government transactions are handled by the treasuries and they also keep the detailed initial accounts of all payments made by them. Because of the successive Five-Year Plans, the volume and number of transactions handled by treasuries had increased many-fold and it was necessary to ensure a proper control and supervision over their working as also for improving the quality of work. A Directorate of Treasuries with headquarters at Lucknow was, therefore, set up in 1965 for the purpose. The posts of Director and Deputy Director of Treasuries are borne on the cadre of U.P. Finance and Accounts Service. Apart from general control and supervision, the Directorate will also take steps for the training of treasury staff.



#### 4.5. SENIOR ACCOUNTS OFFICER AT THE HEADQUARTERS OF THE FINANCE DEPARTMENT

4.5.1. The Senior Accounts Officer at the headquarters of the Government is mainly concerned with the checking of the accounts including the Profit and Loss Accounts and Balance Sheets, of each of the four Regional Food Controllers at Gorakhpur, Kanpur, Lucknow and Meerut and the Regional Marketing Officers through the Regional Accounts Officers posted in each Region; checking of the accounts of the District Supply Officers; co-ordination of the work of Regional Accounts Officers and preparation of the Profit and Loss Accounts and Balance Sheet of the Foodgrains Schemes in the State; assisting the Finance Department and the Food and Civil Supplies Department in the matter of these accounts, and checking the accounts in respect of Weights and Measures Scheme under the Food and Civil Supplies Department.

4.5.2. He also assists the Finance Department in watching the finalization of matters regarding pensions and gratuities of retired government servants and the maintenance of General Provident Fund Accounts of Class IV government servants throughout the State.

4.5.3. He is assisted at the headquarters by an Assistant Regional Accounts Officer (Headquarters), a Pension Inspector and a skeleton office staff. Four Pension Inspectors each posted at Allahabad, Lucknow, Meerut and Varanasi assist him in his latter assignment.



## 4.6. LOCAL FUND AUDIT ORGANIZATION

4.6.1. The Local Fund Audit Organization was set up in the year 1898 at Allahabad as a branch of the office of the Accountant-General under an Assistant Accountant-General, who was called Examiner, Local Fund Accounts. The cost of administration was met by the State Government. Initially, the Organization had to deal with the audit of 245 accounts only. In the year 1918 when the number of accounts rose to 894, the post of an Assistant Examiner was added to the Organization. This arrangement continued till March, 1926 when the State Government took over its control from the Auditor General of India and placed it under the administrative control of the Finance Department. The Organization, however, continued to function under the immediate charge of the Examiner, Local Fund Accounts. Another post of Assistant Examiner was added to the Organization in the year 1944. The work was, however, decentralized in 1948 in the interest of efficiency of audit and to ensure better supervision and control over the work of auditors, and also to secure prompt compliance of audit objections, and four Audit Ranges with headquarters at Meerut, Bareilly, Kanpur and Varanasi were created. A fifth Range, with headquarters at Lucknow, was added in 1961. Each of these Ranges are under the charge of an Assistant Examiner, having jurisdiction over a number of districts.

4.6.2. The main objective of the Local Fund Audit Organization is to keep a close watch over the proper recovery and accounting of taxes and dues and the proper utilisation of funds, including Government grants and loans by the Local Bodies and other Institutions under the audit charge of the Organization, by carrying out audits of their accounts from year to year and bringing out in the audit reports the state of their finances and accounts and the financial irregularities, if any, committed by them. In order to ensure independence and impartiality of audit, the Organization has been kept independent of the administrative authorities of the institutions concerned from the very beginning. Provision for audit of accounts of local authorities constituted under the Acts of the State Legislature by the Examiner, is generally made in the rules framed under relevant Acts, and it is thus a statutory responsibility cast upon the Organization. Orders of the State Government in the Finance Department are required to audit the accounts of a large variety of other public institutions or for placing any account under the audit charge of the Organization.

### *Examiner, Local Fund Accounts, Uttar Pradesh*

4.6.3. The Examiner, Local Fund Accounts, U.P. has his headquarters at Allahabad. He is assisted by an Assistant Examiner at his Headquarters. The superior non-gazetted staff at the headquarters office consists of one senior auditor, who works as Office Superintendent, two other senior auditors and two assistant auditors.

4.6.4. The Examiner, Local Fund Accounts, U.P. also functions as *ex-officio* Treasurer of Charitable Endowments, U.P. and Agent of the Treasurer, Charitable Endowments for India.

4.6.5. The various categories of accounts which have been under the audit charge of the Organization are those of Municipalities including Electrical Undertakings; District Boards (now Zila Parishads); Notified Areas; Town Areas, Attached Estates; Insolvent Estates; Receivership and Guardianship Estates; Universities including allied accounts; Maternity and Child Welfare Centres; District Red Cross and Junior Red Cross Societies; Trust Funds; District Planning Committees; Degree Colleges, Aided Educational Institutions and Institutions which receive non-recurring grants; District Soldiers', Sailors' and Airmen's Boards and allied accounts; Grants to private individuals for industrial undertakings; Medical Grants; Workmen's Compensation Fund; Personal Ledger Accounts of Collective Subscriptions, U.P. Refugee Relief Fund, Collective Fines, and the State Benevolent Fund; Chief Minister's Educational Fund; Natural Calamities Relief Fund and few other Miscellaneous Accounts. The accounts of Development Blocks and of the grants for Local Development Works were also added to the above list during 1961-62.

4.6.6. Bigger accounts such as those of Municipal Boards, Zila Parishads, Notified Areas and Town Areas are audited annually on a test audit basis. A general review is made for the whole year but the accounts of two months selected by the auditors at random are subjected to detailed scrutiny. For Universities, the period of such a test audit is four months. In the case of other smaller accounts audit is carried out of the accounts of the whole year. The Organization also conducts special audits for investigation of frauds and embezzlement, whenever a request for such an audit is made by a local authority or by the Government.

4.6.7. *Audit Fee.* Except for such accounts as are exempted by the Government, such as educational institutions and Trusts, audit fee is charged for all other accounts. The rates for the levy of audit fee are prescribed in the relevant Account Rules or orders of Government.

### *Regional Offices*

4.6.8. The five Range Offices each under the charge of an Assistant Examiner, function at Meerut, Bareilly, Lucknow, Kanpur and Varanasi. The jurisdiction of each Range covers the districts included in two to three revenue Divisions, as shown below:

<i>Range</i>	<i>Headquarters</i>	<i>Address</i>	<i>Jurisdiction (Districts)</i>
I	Meerut	42/2, Saket, Meerut City	1. Dehra Dun 2. Saharanpur 3. Muzaffarnagar

<i>Range</i>	<i>Headquarters</i>	<i>Address</i>	<i>Jurisdiction (Districts)</i>
			4. Meerut 5. Bulandshahar 6. Aligarh 7. Mathura 8. Mainpuri 9. Agra 10. Etah
II	Bareilly	167, Civil Lines, Bareilly.	1. Moradabad 2. Rampur 3. Bareilly 4. Budaun 5. Pilibhit 6. Shahjahanpur 7. Bijnor 8. Naini Tal 9. Almora 10. Pauri-Garhwal 11. Pithoragarh 12. Chamoli 13. Uttar Kashi 14. Tehri-Garhwal.
III	Lucknow	22, Station Road, Lucknow.	1. Lucknow 2. Unnao 3. Rae Bareli 4. Sitapur 5. Lakhimpur-Kheri 6. Bara Banki 7. Gonda 8. Bahraich 9. Faizabad 10. Pratapgarh 11. Hardoi 12. Sultanpur
IV	Kanpur	111/273, Ashoknagar, Kanpur.	1. Farrukhabad 2. Etawah 3. Kanpur 4. Fatehpur 5. Allahabad 6. Jhansi 7. Jalaun 8. Hamirpur 9. Banda
V	Varanasi	D. 58/13, Siga. Varanasi.	1. Varanasi 2. Mirzapur 3. Jaunpur 4. Ghazipur 5. Ballia 6. Gorakhpur 7. Basti 8. Azamgarh 9. Deoria

The Range Officers are responsible for efficient audit of the accounts of institutions within their jurisdiction, review and follow up compliance of unsettled audit objections, keeping proper supervision and control over the field staff as also for the recovery of audit fee from

the local authorities concerned. A Range is divided into a number of audit circles each comprising of one or two districts under the charge of a senior auditor who is assisted by one or more assistant auditors. Assistant Examiner-in-charge of a Range is assisted at his headquarters by a senior and an assistant auditor. Assistant Examiners of Ranges issue audit and inspection reports on all accounts within their audit charge except of some important accounts which are examined by the Examiner also.

4.6.9. Powers of appointment in respect of gazetted staff rest with the Government in the Finance Department. The Examiner is the appointing authority in respect of senior and assistant auditors and ministerial staff of the Department. The Assistant Examiner (Headquarters) is the appointing authority in respect of the class IV staff of the Department.

4.6.10. *Co-ordination and Control.* While the Organization co-ordinates with the administrative authorities concerned with any account under their audit charge in terms of the provisions made in any Act, rule or executive order, the State Government have, for proper control on the activities of local bodies, framed the 'Surcharge' rules<sup>25</sup> defining the powers of the Examiner for initiating or taking action for calling for explanation from the Presidents, members or servants of Municipal Boards, Zila Parishads, Town Areas and Notified Areas, in cases where it is considered that there has been a loss, waste or misuse of any money, or other property belonging to the local body as a direct consequence of misconduct or negligence of any of these persons. Under the rules, the latter can be surcharged with the amount misused or an amount which may represent the loss or waste caused to the local body or to its property. The explanation from a President is called through the District Magistrate and from others through the President. On receipt of the required explanation, the Examiner can, in the case of loss, waste or misuse which occurred exclusively due to negligence or misconduct of a servant and the amount of which does not exceed Rs. 2,000 and the Government in all other cases, surcharge the President, member or a servant, as the case may be, with the whole or a part of the sum for which he may be liable, except where it is found that the loss was caused by an act of the person concerned in the *bona fide* discharge of his duties.

4.6.11. The person aggrieved from the order of the Examiner can appeal to the Government through the District Magistrate. No appeal lies against the order of the Government. He can, however, seek his remedy in a civil court by filing a suit against an order of surcharge.

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25. (1) The U.P. Municipal Board Surcharge Rules, 1948 framed under Section 296 of the U.P. Municipalities Act, 1916.

(2) The U.P. District Boards Surcharge Rules, 1948, (applicable to Zila Parishads) framed under Section 163(e) of the U.P. District Boards Act, 1922.

(3) The U.P. Town Areas Surcharge Rules, 1953, framed under Section 39(1) of the U.P. Town Areas Act, 1914.

(4) The U.P. Notified Areas Surcharge Rules, 1955, framed under Section 296 of the U.P. Municipalities Act, 1916, as applied to Notified Areas.

#### 4.7. CO-OPERATIVE AUDIT ORGANIZATION

4.7.1. Before 1953, the Registrar, Co-operative Societies, performed the dual function of administering his Department as well as auditing Co-operative Societies. To ensure independent and impartial audit of these societies, the State Government decided in 1953, to set up a separate Co-operative Audit Organization under the control of a Chief Audit Officer with headquarters at Lucknow. He was also assigned in 1954, the charge of Panchayats Audit Organization and designated as Chief Audit Officer, Co-operative Societies and Panchayats, U.P. With a view to securing independence of audit, he is directly responsible to the Finance Department and exercises all the functions of the Registrar in respect of audit of the Co-operative Societies as were assigned to the latter formerly in this respect.

4.7.2. The main objective of the Co-operative Audit Organization is to conduct impartial and timely audit of accounts of Co-operative Institutions, suggest methods to prevent wastage of expenditure and bring to the notice of authorities concerned serious irregularities and embezzlements detected during the course of audit.

4.7.3. The Chief Audit Officer is assisted at the headquarters by two Deputy Chief Audit Officers and one Audit Officer (Consumers) besides one Senior Auditor at Headquarters and other staff. The whole State is divided into ten audit Ranges each under the charge of a Regional Audit Officer with headquarters at Agra, Allahabad, Faizabad, Gorakhpur, Jhansi, Lucknow, Meerut, Naini Tal, Rampur and Varanasi. A Regional Audit Officer is assisted by a Range Senior Auditor (Co-operative) at the Regional Headquarters, and a Senior Auditor as Incharge of audit activities in each district, who look to the audit of about 45,572 Co-operative Institutions (as on January 1, 1967) including Co-operative Institutions of Industries Department which were transferred to this Organization for audit purpose with effect from July 1, 1966, through the help of 1,144 auditors on the Co-operative side and 110 auditors on the Industries side, distributed throughout the State according to the volume of work available in various districts. In addition to this, the concurrent audit of accounts of Consumers Co-operative Stores is also conducted by sixteen Senior Auditors (Consumers). The Co-operative Societies are required to pay audit fee at the rates prescribed by Government. The assessment and collection of audit fee is done by Senior Auditors in their respective districts.

4.7.4. The Organization runs a Co-operative Auditors' Training School at Ayodhya, district Faizabad, which imparts training in auditing to the auditor candidates. The staff consists of a Principal and three lecturers of the status of Senior Auditor.

4.7.5. For efficient and smooth functioning of the Organization necessary administrative and financial powers have been delegated to the Chief Audit Officer and Regional Audit Officers. The Chief Audit Officer is the appointing authority in respect of all non-gazet-

ted posts of the Organization except that the Regional Audit Officers are also the appointing authorities in respect of class IV staff. Regional Audit Officers are also drawing and disbursing officers in respect of the Co-operative staff posted in their ranges. They can also transfer auditors from one district to another within their ranges. Transfers from one Range to another are made by the Chief Audit Officer.



#### 4.8. PANCHAYAT AUDIT ORGANIZATION

4.8.1. Section 40 of the Uttar Pradesh Panchayat Raj Act, 1947, made the annual audit of the accounts of every Gaon Sabha mandatory. It was, however, amended by the Uttar Pradesh Panchayat Raj (Amendment) Act, 1954 to the effect that the accounts could be audited at such intervals and in such manner as might be prescribed. Machinery for audit of these accounts was set up in 1954 independent of the main Panchayat Organization under the administrative control of the Finance Department. A Deputy Chief Audit Officer, Panchayat Audit Organization was appointed with headquarters at Lucknow under the supervision and control of the Chief Audit Officer, Co-operative Societies and Panchayats, Uttar Pradesh. The objective of the Organization is to ensure yearly and efficient audit of the accounts of all the Panchayat institutions, viz., 72,419 Gaon Sabhas and 8,577 Nyaya Panchayats<sup>26</sup> as on March 31, 1966 by its auditors on a cent per cent basis. Audit fee is levied on Gaon Sabhas and Nyaya Panchayats for audit of their accounts for audit work done on or after July 1, 1959.

4.8.2. The whole State is divided into ten Panchayat Audit Ranges. The Regional Audit Officers, Co-operative Societies at Agra, Allahabad, Faizabad, Lucknow, Meerut, Rampur, Varanasi, Gorakhpur, Jhansi and Naini Tal also function as Regional Audit Officers, Panchayats and are responsible for efficient audit of the accounts of Panchayat institutions in their Ranges. They are assisted by a Senior Auditor, Panchayats at Range level. The Auditors submit copies of their audit reports to the Pradhans/Sarpanches, District Panchayat Officers and Regional Audit Officers. Monthly progress of audit work of the Organization is watched by departmental officers and by Government in the Finance Department. A list of serious irregularities noticed in the accounts by the Auditors is sent from month to month to Government in the Panchayati Raj Department and the Director of Panchayats, Uttar Pradesh. Delay in the receipt of compliance reports of audit notes and special reports by the Regional Audit Officers is brought to the notice of the Director of Panchayats for appropriate action.

4.8.3. For efficient and smooth functioning of the Organization, necessary administrative and financial powers have been delegated to the Chief Audit Officer, the Deputy Chief Audit Officer (Panchayats) and Regional Audit Officers. Regional Audit Officers are drawing and disbursing officers in respect of the Panchayat staff posted in their Ranges, and they can transfer Auditors from one district to another within their Ranges. Transfers from one Range to another are made by the Deputy Chief Audit Officer (Panchayats).

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26. In 1954, these figures were 36,219 and 8,559 respectively.



# Judiciary and Legal Services

## 5.1. JUDICIARY

5.1.1. *High Court and Its Organization:* The High Court of Allahabad, originally known as the High Court of the North Western Provinces was established in 1866 and was located at Agra. In 1868 it was shifted to Allahabad and came to be known as the High Court of Judicature at Allahabad. In Avadh, which was a non-regulation province, a separate Judicial Commissioner's Court was constituted. It was raised to the status of Chief Court in 1925. This Court was, however, amalgamated with the High Court of Allahabad on July 26, 1948. The High Court at Allahabad now stands at the head of the judicial administration in this State. Since the amalgamation of the Avadh Chief Court with the Allahabad High Court, a Bench has been functioning at Lucknow where some of the Judges of the High Court are posted to dispose of cases arising in twelve districts<sup>1</sup> of the State.

5.1.2. The High Court is the highest Court in the State in matters relating to the civil and criminal law. For revenue matters the highest court is the Board of Revenue although under Article 227 of the Constitution of India, the High Court has the power of superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. The High Court is a "Court of record" which means that its acts and proceedings constitute a perpetual memorial and testimony and its records are of such high authority that their truth cannot be questioned in any court, and as a court of record it has the power to punish for its contempt.

5.1.3. The appointment of Judges of the High Court is made by the President in consultation with the Chief Justice of India, the Governor and, in the case of a Judge other than Chief Justice, the Chief Justice of the High Court. A person is not qualified for appointment as a Judge unless he is a citizen of India and has either held a judicial office in the territory of India for at least 10 years or as an Advocate of a High Court for the same period. The sanctioned strength<sup>2</sup> of the High Court on July 1, 1967 was 24 permanent Judges

1. Lucknow, Unnao, Rae Bareilly, Sitapur, Hardoi, Kheri, Faizabad, Gonda, Bahraich, Sultanpur, Pratapgarh and Bara Banki.

2. Allahabad Lucknow

Permanent Judges	20	3	(one post was vacant).
Additional Judges	9	4	(two posts were vacant).

and 15 Additional Judges. A permanent Judge holds office until he attains the age of 62 years while an Additional Judge is appointed for a term of 2 years.

5.1.4. The staff of the High Court comprises of:

Registrar	..	..	One
Additional Registrar	..	..	One
Joint Registrar	..	..	One
Deputy Registrar			
(one of whom is at Lucknow)	..	..	Four
Assistant Registrar	..	..	Two
Secretary to Chief Justice	..	..	One
Law Reporters	..	..	Five

The office of the High Court is divided into several departments namely (a) Accounts, (ii) Administration, (iii) Copying, (iv) Criminal, (v) Judicial, and (vi) Translation. Each department is under the charge of a Superintendent. The High Court has framed its own rules of procedure called "Rules of Court, 1952", which govern the proceedings in and matters coming before the Court.

5.1.5. *Functions:* The High Court has the power throughout the territory subject to its jurisdiction, to issue to any person or authority orders or writs of *Habeas Corpus*, *Mandamus*, *Prohibition*, *Quo Warranto* and *Certiorari* for any purpose including the enforcement of Fundamental Rights. The High Court has both original and appellate jurisdiction in civil as well as criminal matters.

5.1.6. In relation to the subordinate courts the High Court has, under Article 227 of the Constitution, superintendence over all Courts and Tribunals throughout the territories within its jurisdiction. It has powers to call for returns, make general rules and prescribe forms in which books, entries and accounts are to be kept by the subordinate courts. The postings, transfers and grant of leave up to 42 days to the officers of both the U.P. Higher Judicial Service and the U.P. Civil Service (Judicial Branch) are exclusively in the hands of the High Court. In matters of promotion and grant of leave beyond 42 days, action is taken by the Government in Appointment (C) Department in consultation with the High Court. From October 2, 1967 all members of the U.P. Judicial Officers' Service have been placed under the administrative control of the High Court. They form a separate wing under the High Court who exercises its control over them through the District and Sessions Judges.

5.1.7. *Trial of Election Petitions:* Under the Representation of the People Act, 1951, as amended in 1966, the Court having jurisdiction to try an election petition relating to elections to the Parliament and the State Legislature, is the High Court. As soon as an election petition is presented to the High Court, it is referred for trial to one of the Judges of the High Court, who is assigned for the purpose by the Chief Justice. The procedure for hearing of these petitions is the same as for a civil suit. An endeavour is, however, made to conclude the trial within six months from the date of presentation of petition.

5.1.8. *District Courts:* The Subordinate judiciary is divided into two classes—the U.P. Civil Service (Judicial Branch) and the U.P. Higher Judicial Service; the former consisting of Munsifs and Civil Judges and the latter consisting of the posts of Civil and Sessions Judges and District and Sessions Judges. Particulars of these services are available in the Section relating to Appointment Department in Chapter 3 dealing with Personnel Administration. Courts for the trial of criminal offences under the Indian Penal Code are held by Judicial Magistrates while the offences under other Acts and under the Cr.P.C. are held by sub-divisional magistrates who are, by and large, members of the U.P. Civil Service (Executive Branch) on whom magisterial powers are conferred according to their seniority. The Judiciary has now been separated<sup>3</sup> from the Executive in all districts of the State except those in Kumaun and Uttarakhand Divisions (comprising of the districts of Naini Tal, Almora, Garhwal, Tehri-Garhwal, Pithoragarh, Chamoli and Uttar Kashi). The organization of the different classes of district courts is briefly described below.

5.1.9. *Civil Side:* (i) At the district level the District Judge is at the head of the subordinate judiciary. The State is divided into 44 judicial districts,<sup>4</sup> each under the charge of a District Judge. The jurisdiction of a district judge extends in the case of some areas to more than one revenue district.

(ii) At the lowest rung on the civil side is the Munsif's Court. The pecuniary jurisdiction of a Munsif is ordinarily up to Rs. 2,000 but it may be extended up to Rs. 5,000 according to the length of his service. The first appeal against a Munsif's decision in a regular civil suit lies to the court of District Judge who may, if he likes, transfer it to a Civil Judge for disposal. A Munsif is also empowered to grant succession certificates to the extent of his pecuniary jurisdiction.

(iii) The next higher court is of the Civil Judge who exercises unlimited pecuniary jurisdiction on the original side. The first appeal against his decision in a regular suit up to a value of Rs. 10,000<sup>5</sup> lies

3. For details of separation of the Judiciary from the Executive, see para 3.1.11 of Chapter 3.

4. 1. Agra, 2. Allahabad, 3. Aligarh, 4. Azamgarh, 5. Ballia, 6. Banda (districts of Banda and Hamirpur), 7. Bijnor, 8. Bahraich, 9. Barabanki, 10. Basti, 11. Bareilly (districts Bareilly and Pilibhit), 12. Budaun, 13. Bulandshahr, 14. Etah, 15. Etawah, 16. Farrukhabad, 17. Faizabad, 18. Ghazipur, 19. Gonda, 20. Gorakhpur, 21. Deoria, 22. Hardoi, 23. Jhansi (districts of Jhansi and Jalaun), 24. Kanpur, 25. Kumaun (districts of Naini Tal, Almora, Garhwal, Tehri Garhwal, Pithoragarh, Uttar Kashi and Chamoli with headquarters at Naini Tal), 26. Kheri, 27. Jaunpur, 28. Lucknow, 29. Mainpuri, 30. Mathura, 31. Meerut, 32. Moradabad, 33. Muzaffarnagar, 34. Rae Bareilly (districts of Rae Bareilly and Pratapgarh), 35. Rampur, 36. Saharanpur, 37. Dehradun, 38. Shahjahanpur, 39. Sitapur, 40. Sultanpur, 41. Unnao, 42. Varanasi, 43. Fatehpur and 44. Mirzapur.

5. The Bengal, Agra and Assam Civil Courts Act, 1887, as amended in 1954, provided for the pecuniary appellate jurisdiction of the District Judges at Rs. 10,000.00. With a view to reducing arrears in the High Court and considering the fall in the value of the rupee since 1887 (when the limit of Rs. 5,000.00 was fixed), the appellate jurisdiction of District Judges was increased to Rs. 20,000.00 by the U.P. Civil Laws Amendment Act, 1968, (President's Act No. XXXV of 1968).

to the District Judge and to the High Court in case of suits of higher value. A Civil Judge is also invested with insolvency jurisdiction and with powers to hear cases under the Indian Lunacy Act and to grant succession certificates. He also hears such civil appeals from the orders of Munsif as may be transferred to him.

(iv) The highest court at the district level is of the District Judge. A District Judge exercises original jurisdiction in respect of matters not cognizable by any inferior civil court such as suits under section 92 of the Code of Civil Procedure and also does miscellaneous civil work relating to the Guardians and Wards Act, Succession Act, Indian Companies Act, Divorce Act and various other Acts. Appeals against the District Judge's orders, which are appealable lie to the High Court. On the appellate side the District Judge is competent to hear all civil appeals up to Rs. 10,000 in value.<sup>6</sup> Appeals above this amount are heard by the High Court. The District Judge also exercises revisional jurisdiction under the Small Cause Courts Act.

(v) In some bigger towns senior Civil Judges are posted as Judges, Small Cause Courts, to exercise jurisdiction under the Small Cause Courts Act in suits up to a valuation of Rs. 1,000. Their decisions are non-appealable but are open to revision by the District Judge. In smaller towns powers of a Small Cause Court Judge are exercised by Munsifs and Civil Judges in suits of a specified valuation. Ordinarily Munsifs exercise such powers in suits of a valuation up to Rs. 250 according to the length of their service and Civil Judges in suits, the valuation of which does not exceed Rs. 500.<sup>7</sup>

(vi) The procedure of all the subordinate civil courts in the State is governed by the Civil Procedure Code, 1908 and the General Rules (Civil), 1957 framed by the High Court.

5.1.10. *Criminal side:* (i) Besides the High Court, there are four classes of Criminal Courts in this State, namely—

- (1) Courts of Sessions,
- (2) Courts of Munsif Magistrates with First Class powers,
- (3) Courts of Magistrates with First Class powers.
- (4) Courts of Magistrates with Second Class powers, and
- (5) Courts of Magistrates with Third Class powers.

In addition to these stipendary magistrates, there were Honorary Magistrates too. These Honorary Magistrates were invested with First, Second or Third Class Magisterial powers. The institution of Honorary Magistrates was, however, disbanded in April, 1967.

6. See foot-note No. 5 on the previous page.

7. The pecuniary jurisdictions in small causes suits exercised by Munsifs, Civil Judges and Small Cause Court Judges at Rs. 250, Rs. 500, and Rs. 1,000 respectively were fixed under the Bengal, Agra and Assam Civil Courts Act, 1887, and the Provincial Small Cause Courts Act, 1887 about eighty years back (except in the case of Munsifs whose jurisdiction was last raised in 1911). For reasons similar to those given in foot-note No. 5, the jurisdictions were increased to Rs. 500, Rs. 1,000 and Rs. 2,000 respectively by the U.P. Civil Laws Amendment Act, 1968.

(ii) The jurisdiction of the above Criminal Courts is determined according to the provisions of the Criminal Procedure Code. Magistrates of the First Class can award sentence of imprisonment for a term up to two years and fine up to Rs. 2,000, a Magistrate of the Second Class can award sentence of imprisonment up to a term of six months and fine up to Rs. 500, and that of the Third Class can award imprisonment up to a term of one month and fine up to Rs. 100. Offences in which the maximum sentence of imprisonment prescribed is over two years are usually tried by a Court of Sessions, but only such cases are tried by such a Court as have been committed after an inquiry held by a Magistrate, First Class. In the absence of a provision to the contrary, the magistrates try even those criminal cases which are punishable under special laws.

(iii) Besides the courts of Sessions, there are courts of Additional Sessions Judges and Assistant Sessions Judges also. All criminal cases committed for trial to Sessions Court are received by Sessions Judges, who in their turn transfer such of them to the courts of Additional Sessions Judges and Assistant Sessions Judges, as they are unable to dispose of. An Additional Sessions Judge enjoys the same powers as a Sessions Judge, but Assistant Sessions Judge can award sentence of imprisonment for a period not exceeding ten years. Therefore, only those cases can be transferred to an Assistant Sessions Judge in which the maximum sentence prescribed does not exceed 10 years.

(iv) Originally, appeals and revisions from the orders of Magistrates lay to the Court of Sessions as well as to District Magistrates, but in this State the jurisdiction of District Magistrates in respect of such appeals and revisions has been taken away and they now lie to the Court of Sessions. Appeals and revisions from the orders of Magistrates, First Class, lie to a Sessions Judge. An Additional Sessions Judge is competent to hear such of them as may be transferred to him. Appeals from the orders of Magistrates, Second and Third Classes, are usually transferred by the Sessions Judge to the Assistant Sessions Judges. As a rule, all Civil Judges in the State have been invested with powers of Assistant Sessions Judge.

(v) Appeals from a judgment of Assistant Sessions Judge, where the sentence is up to 4 years imprisonment only, is heard by Sessions Judge, but where the sentence is of more than 4 years imprisonment, it lies directly to the High Court. Appeals from judgments of Sessions Judges lie directly to the High Court. In cases where capital punishment has been imposed a reference is made to the High Court for confirmation of the death sentence, before the sentence is finally pronounced.

(vi) Judicial Officers can also temporarily be entrusted with executive duties as well by the district magistrate with the approval of the District and Sessions Judge. The Judicial Officers are also empowered to hold enquiries, to record dying declarations, confessions and statements under the provisions of the Cr.P.C.

5.1.11. *Revenue side:* On the revenue side there are Assistant



Collectors of Ist and IInd Classes. They exercise original jurisdiction in revenue cases. An Assistant Collector in charge of a Sub-Division is of the Ist Class and he exercises some special powers also. Above them are the Collectors and Additional Collectors who exercise original as well as appellate jurisdiction. Next higher in grade are the Commissioners of Divisions along with Additional Commissioners who exercise appellate jurisdiction. The highest court on the revenue side is the Board of Revenue.

5.1.12. *Nyaya Panchayats*. Panchayat Courts, called 'Nyaya Panchayats' are constituted under the U.P. Panchayat Raj Act. These courts exercise civil jurisdiction in certain specified classes of cases up to a value of Rs. 500. They also exercise criminal jurisdiction in respect of certain specified offences of minor nature under the Indian Penal Code and minor Acts. A Nyaya Panchayat is not competent to inflict a substantive sentence of imprisonment but it may impose fine not exceeding Rs. 100 without being competent to impose imprisonment in default of payment of fine. It can also bind over a person for keeping peace for a period not exceeding 15 days. There is no provision for an appeal against the decision of a Nyaya Panchayat but a revision lies to the Munsif in civil cases and to the Sub-Divisional Magistrate in criminal cases.

5.1.13. Reforms in the judicial system in order to minimise delays, eliminate harassment and corruption in Courts and simplify the process of law, were envisaged a number of times in the past. Several attempts were made to bring about reforms in judicial administration with the object of securing speedier and less expensive justice to the citizen and to simplify process of law, and several committees were appointed with this end in view. In 1921 a committee was appointed under the Chairmanship of Mr. (later Mr. Justice) Stuart to formulate a scheme for the separation of judicial and executive functions in the State which recommended severance of the two departments. Shortly afterwards a committee was appointed under the presidentship of Mr. (later Mr. Justice) Dalal, Additional Judicial Commissioner, Avadh, to examine the question of extension of the Jury system in the State. It recommended the extension of the system in about 16 districts for trial by jury in all offences except those punishable with death. In 1938 a senior I.C.S. officer, Mr. W. C. Dible, was deputed to re-examine the question of separation of the judicial and executive functions. He suggested a scheme of his own for exercise of the two functions separately. In the same year a committee was appointed under the chairmanship of Mr. Niamatullah to investigate the desirability of extending the system of trial by jury in all its aspects. It recommended that the jury system should receive no further extension, that if it be decided to extend the system it should extend to the whole of province and that the system of trial with the aid of assessors should be abolished altogether. Another committee was appointed in 1946 under the chairmanship of Sri Charan Singh, M.L.A., to consider the reorganization of Revenue Courts. This committee made a large number of recommendations for improvement and expedition in the

trial of rent and revenue cases. In 1949 an *ad hoc* committee was appointed under the chairmanship of Sri B. N. Jha, I.C.S., then Chief Secretary to U.P. Government to consider matters pertaining to disposal of criminal cases. This was due to instances of unusual delay in the trial of criminal cases having been brought to the notice of the Government. All these committees, however, attempted to bring about reform in some particular branch of the administration of justice or concerned themselves with some particular phase of the problem. The recommendations of all these committees for one reason or another, largely remained unimplemented and the evils of delayed trials and complex and ruinous nature of litigation persisted. Concerted efforts were then made in 1950 and again in 1959 to implement judicial reforms on a larger scale.

5.1.14. In 1950 the State Government constituted a committee under the chairmanship of Mr. Justice K. N. Wanchoo, Judge, Allahabad High Court, named as Judicial Reforms Committee with a view to simplify the processes of law and bring justice within the reach of the common man expeditiously and at less expense. As a result of the recommendations of the Committee made in 1951, certain changes in the procedural law were brought about through the U.P. Civil Laws (Reforms and Amendment) Amendment Acts of 1954 and 1963.

5.1.15. A committee for investigation of causes of corruption in subordinate Courts was also appointed in 1959 under the chairmanship of Mr. Justice B. Mukerji, Judge, Allahabad High Court on the recommendations of the Working Committee of the U.P. Lawyers' Conference held in 1957. This Committee was concerned mainly with the investigation of causes of corruption, delay and harassment and suggesting ways and means to eradicate them. It finalized its report in July, 1961. Action on some of the recommendations has been taken. Another Committee to make proposals for reorganization and rationalization of subordinate civil court offices and sessions courts, consisting of the Registrar, High Court of Judicature and the Chief Inspector of Government Offices, U.P. was also set up in May, 1964. The Committee was also required to suggest number, location and jurisdiction of various categories of civil and sessions courts required in each district and to re-assess the requirement of various courts in regard to staff, accommodation and office equipment. The Committee submitted its report in March, 1966.



## 5.2. THE ADVOCATE GENERAL AND LAW OFFICERS FOR COURTS

5.2.1. *The Advocate General:* The Advocate General is appointed under Article 165 of the Constitution of India and holds office during the pleasure of the Governor. This being a statutory appointment, the Advocate General performs all such functions as are enjoined on him by law. His functions are detailed in the "Manual of Rules and Orders relating to the Department of the Legal Remembrancer to Government". He is the highest legal adviser to the Government and appears on behalf of the State in almost all important cases in the Supreme Court and the High Court and also in any subordinate court, whenever asked by the Government. The Advocate General is the Public Prosecutor under Section 492 of the Code of Criminal Procedure in all cases coming up before the High Court in exercise of its original criminal jurisdiction. His legislative function is to examine all Bills which are drafted by the departments concerned and are submitted to him through the Legal Remembrancer. He is required to be present in Lucknow while either House of the Legislature is in session and also to attend its meetings. He attends all meetings of Select Committees on Bills introduced in either House of the Legislature and such other committees as he may, by general or special order of the Government, be directed to attend.

5.2.2. The Advocate General cannot advise or appear against the Government in any case in the High Court or in any subordinate court. Subject to this, he has a right to practise without restriction. Unless he obtains sanction of the Government he cannot accept any appointment as Director in any company and cannot withdraw any prosecution.

5.2.3. For administrative purpose the Advocate General enjoys the status of a Head of Department. His headquarters are at Allahabad and he has his own office and staff. He also maintains a camp office at Lucknow. He is in overall charge of the State Law Officers at the High Court and their staff and supervises the work of Government Advocate, his Deputies and Assistants, Chief Standing Counsel and his juniors who assist him whenever so required by him.

5.2.4. A Minister of the State Government can consult the Advocate General direct, he being the Chief Legal Adviser of the State, but all references from Departments of the Secretariat are to be routed to him through Legal Remembrancer to the Government.

5.2.5. *Law Officers in the Supreme Court of India, New Delhi:* For proper representation in their cases in Supreme Court, the State Government have appointed an Advocate-on-Record at Delhi. They have also appointed two Standing Counsel—one for civil and other for criminal work. Special Counsel are engaged in important cases, whenever deemed necessary.

5.2.6. *Law Officers at the High Court:* On the Civil side next to the Advocate General are two officers designated as Chief Standing

Counsel who are in charge of civil litigation in the respective Benches of High Court at Allahabad and Lucknow. The Chief Standing Counsel at Allahabad has under him four Standing Counsel and, normally, these five officers are expected to conduct all the civil cases in the High Court at Allahabad in which Government is a party. However, at times, their hands are too full and on such occasions work is entrusted to approved Brief Holders. There is also a Counsel who attends to cases relating to Consolidation of Holdings. The Chief Standing Counsel at Lucknow Bench has under him only one Standing Counsel.

5.2.7. On the Criminal side the Government Advocate at Allahabad and the Government Advocate at Lucknow attend to criminal litigation in the respective Benches of the High Court at Allahabad and Lucknow. The Government Advocate at Allahabad is assisted by two Deputy Government Advocates and three Assistant Government Advocates. Normally these six officers are expected to do the entire criminal work but for occasional help a panel of approved lawyers is maintained. The Government Advocate at Lucknow is similarly assisted by an Assistant Government Advocate. All the officers on the criminal side at Allahabad and Lucknow, except those on the panel, are salaried officers.

5.2.8. The Government Advocate and the Chief Standing Counsel at Allahabad have a combined office. Similarly there is a combined office for the law officers at Lucknow. Expenditure on these offices is controlled by the Legal Remembrancer and is met from the budget for Administration of Justice. Since 1955, a Superintendent of Litigation at Allahabad looks after and supervises the offices of the Advocate General and other law officers at Allahabad and Lucknow.

5.2.9. The Advocate General appears only in cases involving difficult issues in which Government is specially interested. Other cases are handled by the law officers of the Civil or Criminal side according to their importance. The Chief Standing Counsel usually take cases which are more intricate and of higher valuation. Similarly important criminal cases such as cases in which capital punishment has been awarded, usually go to the Government Advocates.

5.2.10. Since the enforcement of the Constitution of India there has been enormous increase in civil litigation, the bulk of which comprises of Writs filed against the Government and their officers under Article 226. This being a speedier remedy in comparison to ordinary suits, several thousand writs are filed against the State Government every year. Advance copies of all writ petitions are forwarded by Standing Counsel to administrative departments or authorities concerned who are advised to get suitable instructions issued to Standing Counsel by the Judicial Department of the Government to oppose or not to oppose the writ petitions. The Standing Counsel usually puts in appearance in the Court after receiving Government instructions, but in writ petitions in which the vires or legality of an enactment has been challenged or writ petitions in which the legality of

a rule framed under any Act is impugned or writ petition in which there is an application for stay or any interim relief, he is expected to put in appearance at the admission stage even in the absence of specific instructions to that effect.

5.2.11. *Law Officers in Districts.* To look after the cases filed by or against the State Government, District Government Counsel have been appointed in each district. There is a District Government Counsel (Civil), a District Government Counsel (Criminal) and a District Government Counsel (Revenue). For criminal work a panel of approved lawyers is also maintained in every district.

### 5.3. JUDICIAL DEPARTMENT

5.3.1. *Organization.* The Judicial Branch deals with almost all matters relating to the administration of civil justice in the State and some matters of criminal justice such as the appointment of Government Counsel in criminal cases, cancellation of bails, withdrawal of prosecution and appeals against acquittals. Prior to September 19, 1960, the offices of Judicial Secretary and Legislative Secretary were, as mentioned in Section 5.4 of this Chapter, held by the same officer who also exercised the powers of Legal Remembrancer. Since then the Branch was bifurcated into two, namely, the Judicial Branch and the Legislative Branch, and their functions were defined and the work re-allocated between them. Both the Secretaries exercise powers of Legal Remembrancer in respect of the work allotted to each of them although, on occasions, both the assignments were entrusted to one and the same Secretary subsequently too. The portfolio of the Department is held by the Minister of Justice.

#### 5.3.2. The Secretariat comprises of:

Secretary and Legal Remembrancer	...	1
Joint Secretary (Litigation) and Joint Legal Remembrancer	...	2
Deputy Secretary and Deputy Legal Remembrancer	...	3
Deputy Government Conveyancer	...	1
Assistant Secretary (unfilled)	...	1
Officer on Special Duty (Litigation)	...	1
Superintendent	...	3
Assistant Government Conveyancer	...	1

Except for the Assistant Secretary, Officer on Special Duty (Litigation), Superintendents and the Assistant Government Conveyancer who belong to the Secretariat Service, other officers belong to the Judicial Services of the State, administrative control on which is exercised through Appointment Department.

5.3.3. The Judicial Secretary also works as Government Conveyancer.

5.3.4. The entire work of the Judicial Branch is distributed between three departments, namely Judicial (A-I), (A-II) and (B) Departments, each under a Superintendent. The first two deal with most of the administrative matters and the latter, which constitutes the office of the Legal Remembrancer to the State Government, with those relating to legal advice and litigation.

5.3.5. The subjects dealt with in Judicial (A-I) and (A-II) Departments broadly are:

#### *Judicial (A-I) Department*

Administrator General and Official Trustee; Advocate General; Appeals against orders of acquittal; Application in revision for enhancement of sentence; Budget relating to administration of Justice except those for Magisterial and Revenue Courts; High Court establishment; State Counsel at High

Court and Supreme Court; Law Reporters; Mercy petitions against sentences of death; Notaries; Oath Commissioners; Standing Committee of the Judicial and Legislative Departments and Litigation in the High Court and subordinate Courts.

### *Judicial (A-II) Department*

Acts and Bills pertaining to Civil matters; Appointment of arbitrators; Creation of new Civil and Sessions Courts and their jurisdictions; Civil Lock-ups; Delegation of power for execution of Contracts and conveyances; Escheats; General Rules (Civil); Guardians and Wards; High Courts (Amalgamation) Order and High Court Rules; Inter-State Property; Legal Practitioners, Pleaders and Mukhtars; Service of Letters of Request and decree of execution; High Court-Buildings; Marriages and Dowry-Acts and Rules; Muslim Waqfs; Qazis; Reciprocity between the Courts in Uttar Pradesh and Courts outside India; Official Receivers; Judicial Reforms Committee; Law Minister's Conferences; System of Amins; Civil Courts Staff; Writ petitions concerning Judicial Department; Complaints about inefficiency in Courts, harassment and delay in subordinate Civil Courts and Corruption; Facilities to litigants and lawyers; Legal aid to poor and Report on Administration of Civil Justice.

5.3.6. The more important functions are:

(i) *Mercy Petitions*. All sentences of death passed by Sessions Courts are subject to confirmation by the High Court under section 374 of the Criminal Procedure Code. On confirmation of each sentence of death the High Court send to this Department copies of their orders and the paper books of the case. Petitions for commutation of death sentences are received from and on behalf of condemned prisoners. The instructions for the disposal of these petitions have been laid down by the Government of India, Ministry of Home Affairs. If the Governor commutes the sentence of any condemned prisoner, orders are communicated directly to the Jail authorities and the court concerned, but if a petition is rejected by the Governor it is automatically forwarded to the President of India for his consideration. No sentence of death is executed until the petition for mercy, if filed, is rejected both by the Governor and the President of India.

(ii) *Appeals Against Acquittals*. Proposals for filing appeals against acquittals under section 417 of the Criminal Procedure Code and for revision for enhancement of sentence in criminal cases are received from District Magistrates under paragraph 242 of the Legal Remembrancer's Manual. Opinion of the Government Advocate on each such proposal is sought before obtaining the orders of Government.

(iii) *Muslim Waqfs*. The Muslim Waqfs Act, 1960, provides for better governance, administration and supervision of certain classes of Waqfs in Uttar Pradesh.

5.3.7. Important functionaries, with whom the Department is administratively concerned are:

(1) *Administrator General and Official Trustee, U.P.* The appointment of Administrator General, U.P., is made by Government under Section 3 of the Administrator General's Act, 1913 and that of the Official Trustee under Section 4 of the Official Trustees Act, 1913. In this State both these offices are held by the same person who is designated as Administrator General and Official Trustee. His headquarters are at Allahabad. In accordance with rule 8 of the Administrator General and Official Trustee Rules, 1953, the appointment of Administrator General and Official Trustee is made by the Governor in consultation with the High Court. The appointment for the first term is made for five years extended subsequently for a period not exceeding five years at a time. In his capacity as Administrator General, his main function is to obtain letters of administration on behalf of the deceased persons and to administer their estates, and if necessary, to appear in litigation arising out of such letters of administration. In his capacity as an Official Trustee, he may act as an ordinary trustee or may be appointed trustee by a court of competent jurisdiction.

(2) *Marriage Officers.* Under Sub-Section (1) of Section 3 of the Special Marriage Act, 1954, the State Government are empowered to appoint by notification in the official Gazette, one or more Marriage Officers for solemnising marriages in accordance with the provisions of the Act, and registering the marriage solemnised under the Act as well as those celebrated in other forms. All District Magistrates have been appointed *ex-officio* Marriage Officers within their respective districts under rule 3 of the Special Marriage (U.P.) Rules, 1954, but to provide some relief to them, one or two more Marriage Officers are also appointed in each District by the State Government in consultation with the District Magistrates.

(3) *Notaries.* Prior to the enactment of the Notaries Act, 1952, Notary Public were appointed under the Negotiable Instrument Act. The Notaries Act, 1952, repealed the provisions of the Negotiable Instrument Act in this regard and now the Notaries are appointed by the Central Government as well as State Government under section 3 of the Notaries Act. The appointment and working of the Notaries is governed by Notaries Rules, 1956. The functions of a Notary, as enumerated in the Notaries Rules, are:

- (i) to draw, attest or certify documents under his official seal including conveyance of properties,
- (ii) to note and certify general transactions relating to negotiable instruments,
- (iii) to prepare a will or other testamentary documents, and
- (iv) to prepare and take affidavits for various purposes for notarial acts.

(4) *Oath Commissioners.* They are appointed by the High Court



and District Judges under Section 139 of Civil Procedure Code and Section 539 of Criminal Procedure Code. The Oath Commissioners are authorised to verify affidavits filed under Civil Procedure Code and Sections 510A, 539 and 539A of Criminal Procedure Code. Their appointment, etc., is supervised by the High Court.

(5) *Official Receiver.* The appointment of an Official Receiver is made by the Governor in exercise of the powers conferred on him under section 57 of Provincial Insolvency Act, 1920. Every such appointment is made on the recommendations of the High Court and is in the first instance for one year only. It can be extended from time to time for a period not exceeding three years provided the work of Official Receiver remains satisfactory and he has not already attained the age of 60 years. He is required to deposit a security before taking over charge. The main functions of an Official Receiver are to realise the property of a debtor who has gone insolvent and distribute dividends among the creditors titled thereto. He looks after other insolvency works pending in the court of District Insolvency Judges. Usually the office of an Official Receiver is at the district headquarters.

5.3.8. *Legal Remembrancer.* The Legal Remembrancer is the Chief Law Officer of the State Government and he functions through Judicial (B) Department of the Secretariat formed in 1949 on the amalgamation of his office with the Secretariat. As Chief Law Officer of the Government, he advises Government in all cases coming before the High Court. In criminal matters it is his duty to instruct the Law Officers in the High Court in cases coming before it for trial in the exercise of its original criminal jurisdiction and when necessary, in relation to cases coming before the High Court by way of appeal or revision and in regard to the application for the transfer of criminal cases under section 526 of the Code of Criminal Procedure. In the district courts, he provides for adequate prosecution of important cases. He advises Government when appeals from acquittals are proposed and generally watches the interest of Government in criminal courts and advises the Government when so required in respect of any criminal matter. He is the *ex-officio* Public Prosecutor of the State in all cases except those before the High Court and the Supreme Court. In cases coming up before the Supreme Court he instructs the Advocate-on-Record.

5.3.9. He supervises the conduct of State's civil litigation in courts of original jurisdiction in all cases brought against the State the valuation of which is above Rs. 2,500 and all civil appeals, revisions and reviews as also all writs in which the State Government is a party. He also advises on all proposals for filing a civil suit irrespective of valuation. He is the recognised agent of the State under Rule 2 of Order XXVII of the Code of Civil Procedure. He gives free legal advice to all departments of State Government and the Board of Revenue, whenever it is sought, but except in pending or anticipated litigation or legal proceedings no direct reference can be made to the Legal Remembrancer for advice by any officer except by a department



of the State or Central Government or the Board of Revenue. He also gives his opinion on any question of law or relating to any pending or anticipated suit or legal proceeding referred to him by a department of the Central Government or any other State Government or by a local authority on payment of the prescribed fee and supervises the conduct of such suit for legal proceeding, provided it does not and is not likely to involve the State Government as a party to the dispute.

5.3.10. His other functions are:

- (a) to distribute, coordinate and supervise the work of the State Counsel both on the civil and the criminal side,
- (b) to ensure that briefs are prepared by the State Counsel in all important cases particularly those filed by Government servants against the Government, including Writs and cases of Special Leave to Supreme Court, and
- (c) to consolidate the observations of courts in State cases and to advise the departments on suitable action to be taken.

5.3.11. The subjects dealt with in Judicial (B) Department broadly are:

Appointment of Special Counsel in Civil and Criminal cases in the Supreme Court, High Court and subordinate Courts; Audit of bills of fee and allowances of Law Officers, Special Counsel and Counsel for poor accused in courts; Budget of Law Officers and Special Counsel; Defence of government servants in criminal cases; Fees for counsel in criminal cases; Writ petitions, Special Appeals and Stay matters before the High Court and Supreme Court; Verification of fees of Government Counsel in cases of Government of India, other departments not under the State Government and in cases of Nationals of Pakistan, Appointment of District Government Counsels; Panel Brief Holders for the High Court and Panel Lawyers in districts; Advice to departments of the Central Government, State Government and local bodies in legal matters; Cancellation of bails; Civil litigation in courts of original jurisdiction above Rs. 2,500 in valuation; Civil appeals, revisions and reviews in which State Government is a party; Decrees against State of Uttar Pradesh; Government Conveyance; Land Acquisition cases; Nazul Litigation; Pauper suits and appeals; Revenue suits in original courts when specially required to be supervised by Legal Remembrancer; Suits instituted by State of Uttar Pradesh; Suits relating to Public Nuisance and Trusts; Suits specially entrusted by Government of India for supervision; Withdrawal of criminal prosecutions; and consideration and disposal of objections filed under Motor Vehicles Act, 1939.

5.3.12. Legal Remembrancer maintains a Library under care of a Librarian.

*List of Acts and Rules*

## A—CENTRAL ACTS

1. The Administrator General's Act, 1913.
2. The Advocates Act, 1961.
3. Bar Councils Act, 1926.
4. Bengal, Agra and Assam Civil Courts Act, 1887.
5. Bar Councils (Validation of State Laws) Act, 1956.
6. Child Marriage Restraint Act, 1929.
7. Code of Civil Procedure, 1908.
8. Contempt of Courts Act, 1952.
9. Dissolution of Muslim Marriages Act, 1939.
10. Divorce Act, 1869.
11. Evidence Act, 1872.
12. Guardians and Wards Acts, 1890.
13. Hindu Adoptions and Maintenance Act, 1956.
14. Hindu Disposition of Property Act, 1916.
15. Hindu Inheritance (Removal of Disabilities) Act, 1928.
16. Hindu Marriage Act, 1955.
17. Hindu Minority and Guardianship Act, 1956.
18. Hindu Succession Act, 1856.
19. Hindu Widow's Remarriage Act, 1856.
20. Kazis Act, 1880.
21. Law Reports Act, 1875.
22. Legal Practitioners Act, 1879.
23. Limitation Act, 1908.
24. Majority Act, 1875.
25. Married Women's Property Act, 1874.
26. Married Women's Property (Extension) Act, 1959.
27. Muslim Personal Law (Shariat) Application Act, 1937.
28. Mussalman Waqf Act, 1923.
29. Notaries Act, 1952.
30. Mussalman Waqf Validating Act, 1930.
31. Oaths Act, 1873.
32. Official Trustees Act, 1913.
33. Oudh Laws Act, 1876.
34. Provincial Insolvency Act, 1920.
35. Provincial Small Cause Courts Act, 1887.
36. Public Suits Validation Act, 1932.
37. Public Waqfs (Extension of Limitation) Act, 1959.
38. Special Marriage Act, 1954.
39. Succession Act, 1925.

40. Transfer of Property Act, 1882.
41. Waqf Act, 1954.

## B—U.P. ACTS

1. Bengal, Agra, Assam Civil Courts (Extension to Oudh) Act, 1956.
2. Civil Laws (Reforms and Amendment) Act, 1954.
3. Code of Civil Procedure (U.P. Amdt.) Acts, 1948, 1949, 1951 and 1955.
4. High Court (Abolition of letters Patent Appeals) Act, 1962.
5. Indian Divorce (U.P. Amdt.) Act, 1957.
6. Muslim Waqfs Act, 1960.
7. Oudh Courts Act, 1925.

## C—RULES AND MANUALS

1. The Administrator General's (U.P.) Rules, 1929.
2. The Official Trustee Rules, 1914.
3. The Notaries Rules, 1956.
4. The Special Marriage (U.P.) Rules, 1954.
5. U.P. Muslim Waqfs (Recovery of Dues) Rules, 1942.
6. The General Rules (Civil), 1957.
7. The Rules of the Court, 1952.
8. Legal Remembrancer's Manual, 1941.

## Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Report on the Administration of Justice in the State of U.P.	January—December	1866	Registrar, High Court.

## 5.4. LEGISLATIVE DEPARTMENT

5.4.1. The Legislative Department was first created in this State in 1885 to deal with matters relating to the State Legislative Council. In the beginning the department was placed under the Judicial Secretary and continued to be under his charge as an adjunct to the Judicial Department except for a brief period when it was placed under the Chief Secretary. The department had to deal with the business to be brought before the Legislative Council and the correspondence with the Government of India and other State Governments on the subject of Bills, Acts, etc. It was, after the reorganization of the Secretariat in 1921 that there was an increase in the functions of the Department, which now included appointment of the President, Deputy President and Secretary of the Council, rules and regulations for election of members, fixing dates and programme of business of Council Sessions, election and appointment of members of the Legislative Council and Council of State, establishment of Council office, vetting of Bills, etc. In 1923 the charge of the Department was transferred to the Revenue Secretary as a result of reorganization effected as a measure of economy, and the Judicial Secretary who was also the Legal Remembrancer was retained only in the latter capacity. The post of Judicial Secretary was, however, revived in 1928 and the Department was again placed under his charge.

5.4.2. In 1947, after Independence, the business of the Legislature, which was previously the responsibility of the Legislature Secretariat alone, also began to be coordinated by the Legislative Department and though the Department still existed as a part of the Judicial Branch, it began to concern itself more with Legislative drafting and vetting. As the work of legislative drafting increased it was felt that this should constitute a separate department with drafting of bills as its main function, so that undivided attention could be given to this important work. In 1957, the Department was detached from the Judicial Branch and subsequently in 1960, a Legislative Branch was created by transferring Legislative drafting and vetting work from the control of the Judicial Secretary to that of the Legislative Secretary appointed for the purpose. Later, however, on occasions, both the Branches have also been looked after by one and the same Secretary.

5.4.3. The work of the Department could be divided into the following broad classifications:

(i) *Drafting.* Proposals for legislation are initiated by the administrative departments concerned, who refer these to the Legislative Department with a summary of their proposals. After an examination of the constitutional aspects, the actual drafting of a Bill is undertaken, in consultation with departmental officers and then submitted to the Council of Ministers for approval. The Legislative Department is responsible for introduction of a Bill in the Houses of Legislature, its passage through the Legislature and its final publica-

tion as an Act after obtaining the assent of the Governor or the President, as the case may be.

(ii) *Vetting*. All statutory notifications, rules, orders, etc., i.e., all subordinate legislation, proposed to be issued by an administrative department, are scrutinized and vetted by Legislative Department before issue.

(iii) *Legislature*. All matters relating to members of the Legislature and the Legislature Secretariat Staff, summoning of Legislature, determination of business to be included in its agenda, its adjournment, prorogation, dissolution and constitutional questions relating to the activities of Legislature are dealt with by the Legislative Department.

(iv) *U.P. Code*. This includes republication of a set of Central Acts and State Acts in codified volumes.

(v) *Law Commission*. The reports of Law Commission are studied and the recommendations are examined in consultation with the High Court, the Bar and other jurists. The State Government's views are then formulated for transmission to the Government of India.

(vi) *Miscellaneous*. This includes constitutional matters arising out of the Constitution of India, preparation of a summary of legislation in Uttar Pradesh, etc.

5.4.4. The Legislative Branch consists of only one Department and functions under the Minister of Justice. The Secretariat staff consists of the following officers:

Secretary, Legislative Department, and Legal Remembrancer to Govt. (In addition to his duties as Secretary, Judicial Department)	.. 1
Deputy Secretary and Deputy Legal Remembrancer	.. 2
Deputy Government Conveyancer and Under Secretary	.. 1
Superintendent	.. 1
Parliamentary Affairs Officer	.. 1

Legislative Secretary is also the Chief Electoral Officer of the State and Director of Elections, U.P.

## 5.5. ELECTION DIRECTORATE AND ELECTIONS DEPARTMENT

5.5.1. The Election Directorate is under the charge of the Chief Electoral Officer and the Director of Elections, U.P.<sup>8</sup> The Directorate also functions as Elections Department of the Government in matters in which Government orders are necessary, and the Chief Electoral Officer and the Director of Elections also acts in respect of those matters as Secretary to Government in this Department. The Directorate is concerned with the elections to—

- (a) (i) the House of the People and the Council of States and  
(ii) the State Legislative Assembly and the State Legislative Council,
- (b) Mahapalikas, Municipalities, Notified Areas, Town Areas, Kshettra Samitis and Zila Parishads, and
- (c) Gaon Panchayats.

Elections mentioned in clause (a) above are the concern of Parliamentary Section of the Directorate and are taken care of by the Chief Electoral Officer, U.P., while those relating to Mahapalikas, etc. and Gaon Panchayats are the concern of Local Bodies Section and Panchayats Section of the Directorate respectively, and are taken care of by the Director of Elections, U.P. Other officers of the Election Directorate also function in regard to the election of all these various bodies in their *ex-officio* capacity under various enactments, rules and orders.

5.5.2. The headquarters organization consists of the following:

Chief Electoral Officer and Director of Elections, U.P. and <i>ex-officio</i> Secretary to Government.	.. 1
Deputy Chief Electoral Officer, <i>ex-officio</i> Deputy Director of Elections and <i>ex-officio</i> Deputy Secretary to Government.	.. 1
Assistant Director of Elections, <i>ex-officio</i> Assistant Chief Electoral Officer, U.P. and <i>ex-officio</i> Officer on Special Duty.	.. 1

### 1. Parliamentary Section

5.5.3. Under Article 324 of the Constitution of India the superintendence, direction and control of the preparation of the electoral

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8. The administrative machinery at the headquarters of the State Government for the conduct of various elections formerly consisted of the Elections Department and (i) Office of the Chief Electoral Officer, U.P., (ii) Office of the Director of Elections (Local Bodies), U.P. and (iii) the office of the Director of Elections (Panchayats), U.P. although all the three posts referred to were held by the same officer and the offices had other common officers and staff. With effect from June 1, 1963, the Department and all these three offices were combined to form the "Election Directorate".



rolls for, and the conduct of, all elections to the Parliament and to the Legislature of every State including the appointment of election tribunals, etc., are vested in the Election Commission, India. The Election Commission consists of the Chief Election Commissioner and such number of Election Commissioners as the President may from time to time fix. The appointment of the Chief Election Commissioner and other Commissioners is made by the President. The Constitution, however, provides that the Chief Election Commissioner shall not be removed from his office except in the like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment. This provision aims at ensuring independence of the Chief Election Commissioner as also the holding of free and fair elections uninfluenced by the Executive Government.

*5.5.4. Chief Electoral Officer.* The Chief Electoral Officer is appointed by the Election Commission, India, in consultation with the State Government under Section 13A of the Representation of the People Act, 1950. Subject to the superintendence, direction and control of the Election Commission, India, it is the statutory duty of the Chief Electoral Officer to supervise the preparation of electoral rolls as also the conduct of elections. In all such matters he acts as a functionary of the Election Commission. For administrative and financial matters concerning elections, preparation of electoral rolls and supervision over his staff and District Election Offices, the Chief Electoral Officer has been declared a Head of the Department who functions under the control of the State Government. He also acts as a Liaison Officer between the Election Commission, India and the State Government.

*5.5.5. Electoral Registration Officers.* Electoral Registration Officers and their Assistants are appointed by the Election Commission, India. The District Election Officers are appointed as Electoral Registration Officers, while Tahsildars are appointed as Assistant Electoral Registration Officers.

*5.5.6. Returning Officers.* Returning Officers and Assistant Returning Officers are appointed by the Election Commission, India. For the purposes of elections to the House of the People, the District Magistrates and Additional District Magistrates are appointed as Returning Officers and Assistant Returning Officers respectively for Parliamentary Constituencies. Similarly, in the case of Legislative Assembly, Deputy Collectors, Judicial Officers and other officers on the staff of the district are appointed as Returning Officers and Assistant Returning Officers for Assembly Constituencies. Every Returning Officer for an Assembly Constituency is also appointed as Assistant Returning Officer for the Parliamentary Constituency. In some cases Tahsildars are also appointed as Assistant Returning Officers for the Assembly Constituencies. For the purposes of elections to the Council of States and the State Legislative Council by the members of the State Legislative Assembly, the Secretary, U.P. Legisla-



ture is appointed as Returning Officer and Secretary, Legislative Assembly and Secretary, Legislative Council, are appointed as Assistant Returning Officers. In the case of elections to the State Legislative Council, one of the District Magistrates in the constituency is appointed as Returning Officer and the District Election Officers of the districts included in the constituency are appointed as Assistant Returning Officers.

5.5.7. *District Election Officers.* At the district level there is a District Election Office which functions under the control of the District Magistrate, who is appointed as *ex-officio* District Election Officer. There is a Deputy District Election Officer, who is a senior Deputy Collector, and who acts as the officer in the immediate charge of the District Election office which consists of an Election Inspector, a Head Clerk and two to nine clerks, according to the size of the district and the volume of work. The District Election office deals with all matters concerning the preparation of electoral rolls and the conduct of General Elections, Biennial Elections and Bye-elections to the State Legislature and the House of People. The Electoral Registration Officers, Assistant Electoral Registration Officers, Returning Officers and Assistant Returning Officers in each district are attached to and function through the District Election Office.

5.5.8. *Presiding Officers and Polling Officers.* For the conduct of poll at the polling stations for elections to the House of the People, the State Legislative Assembly and the State Legislative Council, the Returning Officer appoints one Presiding Officer and four or five Polling Officers for each polling station. It is the duty of the Presiding Officer at a polling station to maintain order and to see that the poll is taken fairly. These officers are either government servants or employees of local bodies. In the case of elections to the Council of States and the State Legislative Council by the members of the State Legislative Assembly, the Returning Officer himself presides over such elections and appoints such Polling Officer or Officers to assist him as he considers necessary. These Polling Officers are from the staff of the Legislature Secretariat.

5.5.9. *System of Election.* The members of the House of People and the State Legislative Assembly are chosen by direct election from single member territorial constituencies on the basis of adult suffrage. The elections to the Council of States and the State Legislative Council are held in accordance with the system of proportional representation by the single transferable vote. The members are elected from various electoral colleges such as members of the Legislative Assembly, members of the local authorities, Graduates and Teachers.

5.5.10. *Periodicity of Elections.* The General Elections to the House of the People and the State Legislative Assembly are held either every five years or upon dissolution of the House. Elections to the Council of States and the State Legislative Council are held every alternate year. Bye-elections to fill casual vacancies in any House are held soon after a seat falls vacant.

5.5.11. *Programme of Elections.* In so far as the General Elections and Biennial Elections are concerned the Election Commission recommends to the President/Governor the date or dates on which the President/Governor shall call upon the constituencies to elect members in accordance with the provisions of the law. In the case of Bye-Elections, the notification is issued by the Election Commission. The election programme of dates for various stages of elections, is fixed by the Election Commission.

5.5.12. *Membership, Qualifications and Disqualifications.* Any elector for a Parliamentary Constituency in the State is qualified to be chosen as member of the Council of States and the House of the People. Likewise any elector for any Assembly Constituency can be chosen to fill a seat in the State Legislature. But in neither case the elector should suffer from any of the disqualifications specified in the Representation of the People Act, 1951. It is, however, necessary that the elector must have attained the age of 30 years if he is a candidate for the Council of States or the State Legislative Council and 25 years for the House of the People or the State Legislative Assembly. Any person holding any office of profit under the Central or State Government is disqualified for being chosen as a member of the Parliament or of the State Legislature as the case may be.

5.5.13. *Electors.* For the purposes of elections to the House of the People and the State Legislative Assembly every person who is a citizen of India and who is not less than 21 years of age on the first day of January of the year in which the electoral rolls are prepared shall be entitled to be registered as a voter at elections to the House of the People and to the State Legislative Assembly. For purposes of elections to the State Legislative Council—

- (a) from local authorities constituencies, every member of a local authority (i.e., Municipal Boards, Town Areas and Notified Areas Committees, Zila Parishads and Cantonment Boards) is entitled to be registered in the electoral rolls relating to the appropriate local authorities constituency of the Legislative Council;
- (b) from Graduates' Constituencies, every person who is ordinarily resident in a graduate constituency of the Legislative Council and has, for at least 3 years before the qualifying date, been either a graduate of a University in India or in possession of any of the equivalent qualifications specified by the State Government is entitled to be registered in the electoral rolls for that constituency;
- (c) from Teachers' Constituencies, every person who is ordinarily resident in a teachers' constituency and who has, within the 6 years immediately before the qualifying date, been engaged in teaching for a total period of three years in any of the educational institutions not lower in standard than that of a secondary school is entitled to be registered in the electoral rolls for that constituency.

The elector should not suffer from any disqualifications under the Constitution or under any law made by the Parliament on grounds of non-residence, unsoundness of mind or corrupt practices, etc. In the case of indirect elections to the Council of States and the State Legislative Council, every elected member of the State Legislative Assembly is an elector. There is one electoral roll for every constituency. It is prepared by the Electoral Registration Officer in accordance with the provisions of the Representation of the People Act, 1950 and the Rules framed under it, under the superintendence, direction and control of the Election Commission. No person is entitled to be registered in the electoral roll for more than one constituency or in the electoral roll for any constituency more than once.

5.5.14. *Procedure of Voting.* In the case of elections to the House of the People and the State Legislative Assembly each elector has one vote. Votes are given by ballot and no vote is received by proxy. Every elector has to come to the polling station to cast his vote. He is supplied with a ballot paper which contains the names and symbols of the contesting candidates. He is also supplied with a cross mark rubber stamp to mark the ballot paper in secret. The armed forces personnel, persons occupying certain high offices such as President, Vice-President and Governor, etc., are, however, allowed to vote by postal ballot. The elections to the Council of States and the State Legislative Council are held on the system of proportional representation by single transferable vote. Candidates and their agents are entitled to be present at the polling and the counting of votes but the secrecy of ballot has to be maintained.

#### *List of Acts and Rules*

1. The Representation of the People Act. 1950 Govt. of India
2. The Representation of the People Act. 1951 -do-
3. The Representation of the People (Miscellaneous Provisions) Act, 1956 -do-
4. The Registration of Electors Rules, 1960.
5. The Conduct of Elections Rules, 1961.

#### 2. *Local Bodies Section*

5.5.15. The Section is concerned with the elections of various Local Bodies including Kshettra Samitis and Zila Parishads. The elections to the offices of Members, Presidents and Chairmen, etc., of these local bodies are held under the provisions of the U.P. Municipalities Act, 1916, the U.P. Town Areas Act, 1914, the U.P. Mahapalikas Adhiniyam, 1959, the U.P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961 and the rules and orders made thereunder. The superintendence, direction and control of all these elections are vested, under the provisions of these enactments, in the Director of Elections. He is appointed by the State Government and functions as head of the department in so far as the administrative and financial matters concerning these elections and electoral rolls, etc. are concerned.

5.5.16. *District Organization.* Elections to local bodies are conducted by the District Election Officers. Electoral Registration Officers, who usually are Tahsildars, are appointed by the State Government for the wards in each local body.

5.5.17. *Returning Officers.* The Returning Officers and Assistant Returning Officers for election of members for various Local Bodies are appointed by the District Magistrates concerned in consultation with the Director of Elections. For purposes of election of Presidents of Municipalities and Nagar Pramukhs of Nagar Mahapalikas, District Magistrates are the Returning Officers and their appointments as such are statutory. The appointment of Presiding and Polling Officers required for the conduct of poll at the polling stations is made by the Returning Officers.

5.5.18. *Term of Local Bodies.* The term of Nagar Mahapalikas (Municipal Corporations), Municipalities, Notified Areas, Kshettra Samitis and Zila Parishads, under the present enactments, is for a period of five years while that for Town Areas is four years.

5.5.19. *System of Election.* Elections of members of Municipalities and Notified Areas, Members and Chairmen of Town Areas and Sabhasads of Nagar Mahapalikas are direct, i.e., they are on the basis of adult suffrage, while elections of Presidents of Municipalities and Notified Areas and *Vishist Sadasya* and *Nagar Pramukh* are indirect, i.e., they are elected by the members of these local bodies. All elections in Kshettra Samitis and Zila Parishads are indirect, and are held on the system of proportional representation by single transferable votes.

### 3. *Panchayats Section*

5.5.20. This Section is concerned with the election of members of Gaon Panchayats and Pradhans of Gaon Sabhas. These elections are held in accordance with the provisions of the U.P. Panchayat Raj Act, 1947 and the Panchayat Raj Rules. The Director who, for the purposes of these Act and Rules has the status of a head of department, is appointed by the State Government under clause (KK) of section 2 of the Panchayat Raj Act.

5.5.21. *District Organization.* Subject to the supervision and control of the Director of Elections, the District Magistrates supervise the conduct of elections in the districts. For each Gaon Sabha, the District Magistrate appoints a Returning Officer and one or more Assistant Returning Officers for conducting the elections. They are appointed from amongst government officers. There is no separate office at the district level for the conduct of these elections. This work is usually done in the District Election Office and the District Planning Office.

5.5.22. *Presiding Officers and Polling Officers.* The Returning Officer appoints a Presiding Officer and such number of Polling Officers as may be necessary for each polling place. It is the duty of the Presiding Officer to keep order at the polling place and to see

that the poll is fairly taken. These officers are either government servants or employees of Local Bodies.

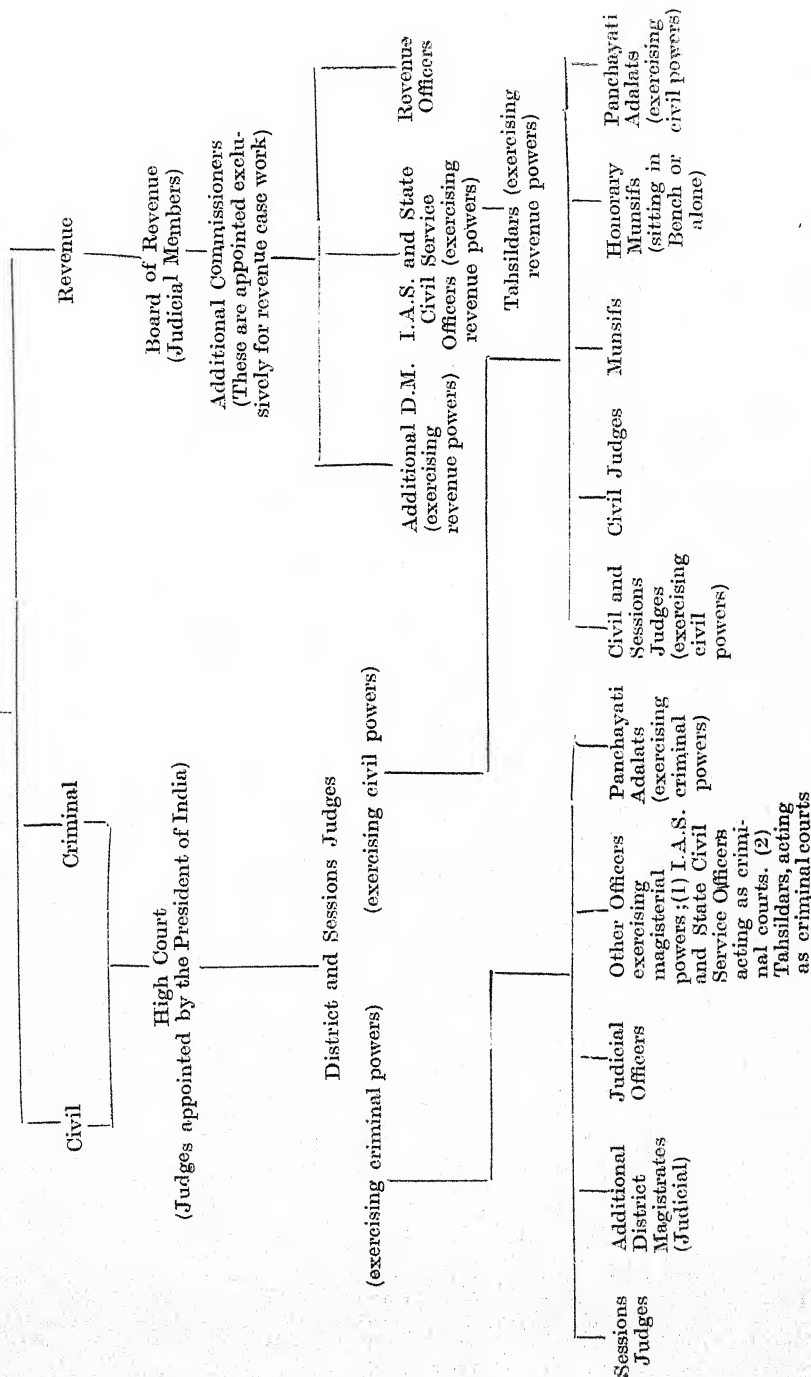
5.5.23. *System of Elections.* The members of Gaon Panchayats and the Pradhans of Gaon Sabhas are elected by the members of the Gaon Sabha from amongst themselves. All adults ordinarily resident within the jurisdiction of the Gaon Sabha are voters.

5.5.24. *Periodicity of General Elections.* The General Elections to Gaon Panchayats are held every five years or earlier when a Gaon Panchayat is reconstituted before the usual term.

5.5.25. *Qualifications and Disqualifications.* A member of Gaon Sabha is not qualified to be chosen as Pradhan unless he is 30 years of age. Any person holding any office of profit under State Government or the Central Government or the Gaon Sabha or a Nyaya Panchayat or who had been dismissed from the service of State Government or the Central Government or a Local Authority or a Nyaya Panchayat for misconduct or who is in arrear of any tax, fee or rate due by him to the Gaon Sabha for the specified period is disqualified for being chosen as a Member or Pradhan.

5.5.26. *Procedure of Voting.* In the case of election of members and Pradhans, the method of voting by ballot is followed. No vote is received by proxy. A ballot paper containing the symbols allotted to the candidates is issued to the voter who marks it with a cross mark rubber stamp in a polling compartment screened from observation. The ballot boxes are sent to the Returning Officer who counts the votes and declares the result. The candidates and their agents are entitled to be present at the polling and at the counting of votes.

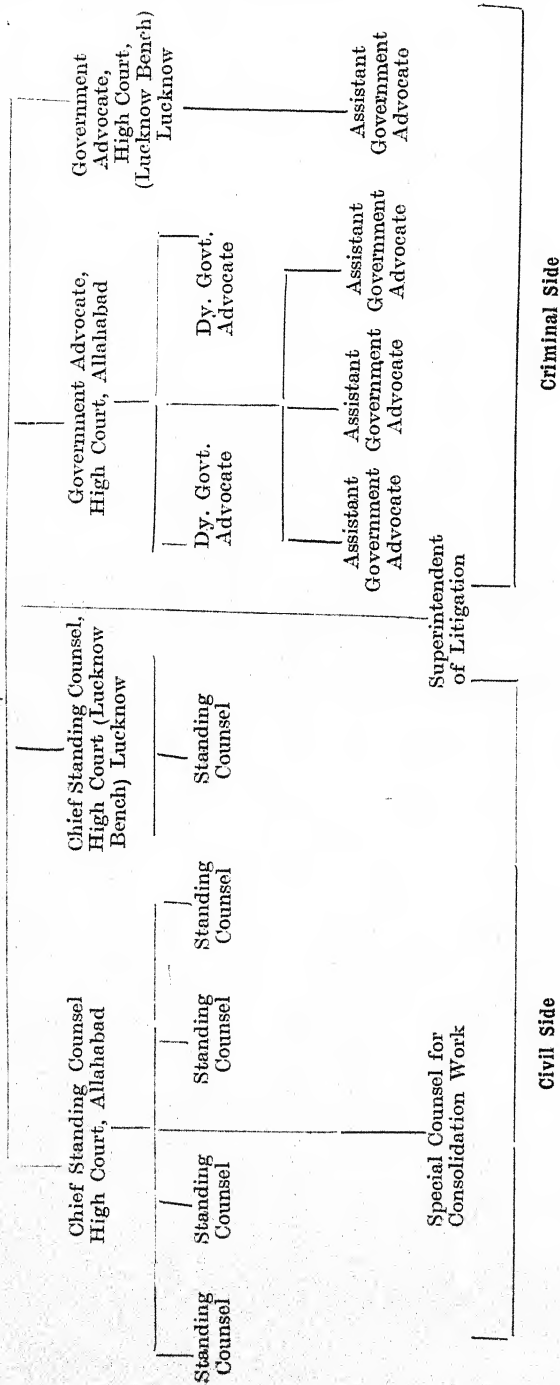
## The Judiciary





# ORGANIZATION OF LAW OFFICERS

Advocate-General  
Uttar Pradesh

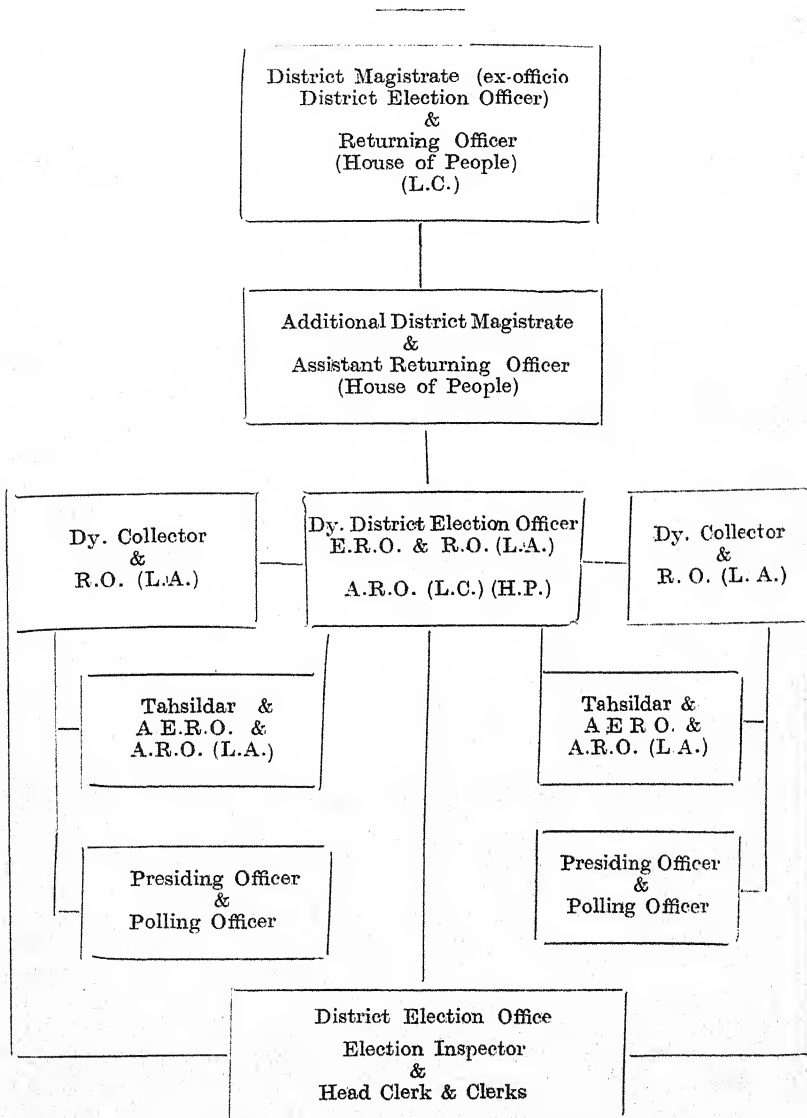


Civil Side

Criminal Side



# ORGANIZATION CHART OF ELECTION STAFF IN THE DISTRICT



## Notes—

- (i) E.R.O.—stands for Electoral Registration Officer.
- (ii) A.E.R.O.—stands for Assistant Electoral Registration Officer.
- (iii) H.P.—stands for House of People.
- (iv) L.A.—stands for Legislative Assembly.
- (v) L.C.—stands for Legislative Council.
- (vi) R.O.—stands for Returning Officer.
- (vii) A.R.O.—stands for Assistant Returning Officer.

## CHAPTER 6

# Departments Controlling Law & Order

### 6.1. HOME (POLICE) DEPARTMENT

6.1.1. The history of Police under the British for a century prior to 1860 was a long series of, more often of unsuccessful experiments. When Lord Cornwallis took over as Governor-General, he insisted that a regular police force was necessary to apprehend criminals. It was decided that the police establishment under thanedars which was then being maintained by feudatories such as Faujdars and Zamindars be disbanded and a force set up by Government to work under the control of district magistrates. District Magistrates were ordered to divide the various districts into police jurisdictions each under a 'Daroga' who was empowered to receive reports and arrest criminals to be presented before a Magistrate within 24 hours of arrest. The system did not work properly and by 1816, the British reverted to a system under which the village watchman (mostly hereditary) worked under the direction of the village headman, and the latter under that of the Tahsildar.

6.1.2. Meanwhile in Bengal further development had taken place. In 1808, an officer called Superintendent of Police was appointed to supervise police administration in the three divisions of Calcutta, Dacca and Murshidabad. The system was subsequently extended to Banaras Division and to Rohilkhand. Later on, when the office of Divisional Commissioner was created in 1829, the powers of superintendence over the police force of a number of districts was transferred to the Divisional Commissioner while the executive charge of the district police was left with the Collector and Magistrate. Since both these officers were fully occupied with various other functions, no effective supervision could, however, be exercised and the police force was left with ample opportunities for illegal gains.

6.1.3. Sir Charles Napier, who annexed Sind in 1843, made his police a self-contained organization under their own superior officers whose responsibility was to supervise them and see that they had adequate means to deal with crime. The Sind experiment was successfully tried in other provinces also and after Avadh fell in the hands of British, the police in Lucknow was also organized on those lines. The Police Department, as it exists today, is the outcome of the recommendations of a Commission appointed in 1860 to examine

the system of police existing in different provinces of India and the enactment of the Police Act of 1861 which gave the Police Force and the Department a concrete shape. The deliberations resulted in a single homogeneous force of Civil Constabulary similar to that of the Indian Army, centralized in the hands of the executive government under the control of the Inspector General of Police, with a Range Deputy Inspector General of Police for each Commissioner's Division and a Superintendent of Police for each district on a provincial basis and under the general subordination of the Magistracy. The subordinate district staff consisted of Inspectors as Incharge of a group or Circle of Police Stations contiguous with the boundaries of a tahsil, Chief Constables, Head Constables, Sergeants and Constables. Shortly afterwards the designation of Chief Constables of Police Stations was changed to Sub-Inspectors and the utility of Village Chaukidars as a separate reporting and patrolling agency was recognised. In 1867 a separate Railway Police was organised under an Assistant Inspector General of Police. The Oudh Police Force, which was a separate entity initially, was amalgamated in 1877 with the North Western Provinces Police, now called Uttar Pradesh Police.

6.1.4. The first organized Intelligence Service came into existence in the year 1888 when a Special Branch was established under an Assistant Inspector General of Police as a Bureau for the collection of purely political intelligence after merging with it the Newspaper Branch. The latter was subsequently transferred in 1921 to the State Secretariat and afterwards amalgamated in 1937 with the Publicity Department to form the Public Information Department.

6.1.5. On the recommendations of the Police Committee in 1891, Head Constables were relieved of their responsibility of investigation of cases, local bodies were allowed to employ their own Police Force subject to the condition that enrolment was made under the Police Act and separate Railway Police on various Railways were amalgamated into a combined cadre of Provincial Railway Police. The Police Force then comprised of (a) Provincial Police (Civil Police, Armed Police and Mounted Police), (b) Railway Police, (c) Town Police and (d) Rural and Road Police. The first two consisted of regular police force and the last two of Chaukidari Force, the cost of which was met entirely from local taxes or cess.

6.1.6. Measures taken up during 1906-7 for improving the organization, quality and efficiency of the Police Force as a result of the recommendations made by the Indian Police Commission in 1902, were its reorganization on a Provincial basis independent of the local bodies, full responsibility for the Superintendents of Police for departmental control of district police force without interference by the District Magistrate or Commissioner, setting up Criminal Investigation Department under a Deputy Inspector General of Police looking to Railway Police Administration as well and setting up of a Police Training School. The Deputy Inspector General of Police, Criminal Investigation Department was, however, relieved of his Railway duties in 1918.

6.1.7. An important development which took place in 1939 was the introduction of 'Military Police' forming a thoroughly efficient and trained armed force at the disposal of Civil authorities for dealing with civil disorders. Originally 13 Companies of Military Police under a Commandant of the rank of Superintendent of Police were created to form a reserve of officers and men to meet any internal security threat while the Army was busy otherwise. In 1941 an additional branch of the Police Force known as Special Armed Constabulary was formed more or less on military lines and kept under the charge of a Superintendent of Police, designated as Administrative Commandant, Special Armed Constabulary. This continued till 1948 when, with the outbreak of large scale communal disturbances, it was found expedient to expand the existing reserve forces. The two branches, viz., Military Police and Special Armed Constabulary were amalgamated and formed into a Provincial Armed Constabulary under the overall charge of an Assistant Inspector General of Police. With the gradual expansion, the Battalions of this Constabulary were later placed under the overall charge of a Deputy Inspector General of Police who was responsible for training as well. The training part of his functions was, however, taken away from him in 1958, with further expansion of Police force and entrusted to the Deputy Inspector General of Police, Training, who also functions as Principal, Police Training College, Moradabad.

6.1.8. The State Government had set up in 1947-48 the U.P. Police Re-organisation Committee. Some of the recommendations approved by the Government were separation of the cadre of Prosecution Staff under Senior Public Prosecutors (Deputy Superintendent of Police) in big districts, setting up of Special Investigation Squads to assist the local staff in the investigation of important cases, separate cadre for Traffic Police and formation of Crime Record Sections and Information Bureau at Headquarters of C.I.D., Lucknow.

6.1.9. Government also set up in 1960 a Police Commission to report on the measures to be adopted for improving the efficiency and conditions of service of the Police Force in this State. Measures taken by the Government in 1962 on the recommendations of the Commission, were revision in the pay scales of Sub-Inspectors, Head Constables and Constables, increase in the strength of Police Force and establishment of Tear Gas Squads in all towns with population of over one lakh persons. Further steps taken on those recommendations were the discontinuance of the Complaints Scheme of the U.P. Police, posting of Circle Inspectors as Officers Incharge of important Police Stations instead of their holding charge of Circles; placing of Police Circles under the charge of gazetted Police Officers, thereby entrusting the work of supervision of subordinate policemen and Police Stations to the single agency of Gazetted Officers who supervise investigations and also investigate important cases personally.

6.1.10. The main object of the Police Force is the maintenance

of internal security, law and order. The function of Police Department can thus be divided broadly into two main parts—(1) maintenance of discipline in the Force and (2) achievement of the objects with which it has been raised. The former requires proper training for the men to keep them physically fit, well conversant with the laws and efficient in the discharge of their duties and loyal to the country. It also requires looking after their welfare and that of their families. The second part entails duties during riots, elections, floods, outbreaks of fire, epidemics, famines, etc. A policeman comes into the picture whenever a crime is committed. His job is not only the detection of crime but also giving protection to the people by apprehending criminals and bad characters. It is his duty to see that decent law abiding people are not hampered in their legitimate pursuits and crowds are kept under control. Social service, *viz.*, tracing of lost children, guiding and directing women to places of safety or their destination, sending injured persons to hospitals, killing wild beasts to protect the public from their menace are also part of duties of the Police.

6.1.11. The strength of the Police force has continually increased due to additional responsibilities entrusted to it. The expenditure on Police has thus registered a constant increase as will be evident from the following figures:—

<i>Year</i>	<i>Expenditure (in lakhs of Rs.)</i>
1900-01	82
1919-20	1,35
1947-48	6,39
1961-62	10,51
1965-66	17,33
1966-67	18,77
1967-68	20,89 (revised estimate)
1968-69	24,98 (estimated)

6.1.12. Under the Constitution of India, Police is a State subject,<sup>1</sup> but many of the Central Acts are still in force. Maintenance of internal security necessarily involves the collection of intelligence. The problems on the borders of this State require co-ordination between the police force of neighbouring States. Such co-ordination and co-operation is also indirectly looked into by the Government of India in cases of difficulty. The apex co-ordinating agency for the police forces is the Central Intelligence Bureau functioning under the Government of India, Ministry of Home Affairs.

6.1.13. At the Secretariat level, the 'Police' department was up to 1941 under the Chief Secretary to Government except for the period from 1883 to 1921 when it was under the Judicial Secretary. A new Home Department was established in 1941 under a Home Secretary, who was given charge of the Police Department, transferred

1. The position under the Government of India Act, 1935 was the same.

from the Chief Secretary and the Jails and Judicial (Criminal) Department transferred from Judicial Secretary. The new nomenclature given to the departments was Home (Police) Department and Home (Criminal) Department, which also included Jail Department. In 1947, Home (Jails) Department was separated from Home (Criminal) Department and the latter subsequently came to be known from 1961 as Home (General) Department, both of which have been dealt with separately in this chapter.

6.1.14. Apart from the work normally expected of the Home (Police) Department, the department at the Secretariat level also deals with certain other matters, viz., grant of pensions to fighters for the cause of freedom and grant of India-Pakistan passports and visas. On the formation of Pakistan in August, 1947, restrictions were placed on travel between the two countries and a 'permit' system was introduced. This worked for a period of about five years when the need for a regular travel document between the two countries was felt and India-Pakistan Passport system was introduced with effect from October 17, 1952. This work was taken up by the Government in Home (Police-C) Department set up during 1949 which used to deal with International Passports. The work relating to International Passports was, however, taken away by the Regional Passport Offices of the Government of India set up in November, 1954. The work continued to increase and in 1955, the Department was split up into two separate departments, viz., Home (Police-C) Department and Home (Police-D) Department—the former to look after the issue of India-Pakistan Passport to Indian Nationals visiting Pakistan and registration of foreigners in India, and the latter to grant of visas to Pakistani nationals coming over to India, grant of citizenship and allied matters. The State Government act in these matters as an agency of the Government of India, who meet the entire cost.

#### THE SECRETARIAT

6.1.15. The portfolio of Police is held by the Home Minister. The Secretariat staff comprises of:

Commissioner and Secretary, Home	1
Deputy Secretaries	3
Under Secretary	1
Assistant Secretaries	2
Superintendents	10

The Home (Police) Department has ten Sections. The matters dealt with in different Sections of the Department are given below:

#### *I—Home (Police-A) Department*

Anti-dacoity operations, Anti-smuggling squads, Check posts, Conferment of Police powers on Revenue officials, C.I.D. including Dog Squads, Finger Print Bureau, Scientific Section and Crime Information Bureau, Establishment of Police Headquarters, Ranges and



District Police;<sup>2</sup> Guards and Escorts, Armed Police, Mounted Police, Mobile and Flying Squads, Provincial Armed Constabulary; Police Parade, Police Week, Police Public Relations, Training, Police Commission; Prosecution Branch, Radio Section of State Police, River Police, Appointment of Police Officers for suppression of immoral traffic; Traffic Police, Women Police, Annual Administration Report, Jurisdiction of Police Stations and Outposts, Police Associations, Standing Committee of Legislature on Police

## II—Home (Police B-I) Department

Burglary and dacoity reports, Bombs reports, Cinematograph Film Rules, Compensation for loss of property in Congress Movement of 1942, complaints against police officials, Complaints (Anti-corruption) Scheme, Communal riots and disturbances, Compensation to victims of riots, Conspiracy cases, Crime reports, Deserters, Police Firings, Imposition of additional police, Surveillance and history sheets, Visits of Pakistani Pilgrims.

## III—Home (Police B-II) Department

Afghan Refugees, Arms Act and Rules, Award of Police and Fire Service Medals, Compassionate Fund Grants to non-Gazetted police personnel, Carbide of Calcium and Petroleum Rules, Explosives Act and Rules, Extension of Police Act to fairs and melas, Habitual Offenders' Restriction Act, 1952; Inflammable Substances Act, Legal defence of police officials, Lock-ups. Objectionable Publications, Prosecution and prosecutions; Pensions to dependents of non-officials killed while combating dacoity, Petroleum Act, Pensions to police officials and their dependents, Rewards in dacoity cases, Strictures against police, Village Chowkidars, Village Defence Societies.

## IV, V and VI—Home (Police C-I, II and III) Departments

Maintenance of instructions of Government of India regarding foreigners and issue of international passports to Indians and their dissemination to local authorities; matters regarding grant of Visa, extension of stay in India to foreigners and their arrests, detention and deportation; Administration of rules and regulations relating to foreigners; Enquiries from Government of India [Indian Missions abroad regarding whereabouts in India of foreigners, dependents of Indians residing abroad, their legal heirs and about complaints of harassment, encroachment on property, etc., from Indian residents abroad; Budget regarding deportation of undesirable foreigners and expenditure regarding internment, detention of Chinese nationals; Recovery of repatriation charges except for Haj pilgrims; Enquiries from Government of India, Indian Missions abroad, Regional Passport Officer and other State Governments regarding issue of International or India-Pakistan passport to Indians and grant, renewal, further endorsements, addition, alteration and rejection of India-Pakistan Passports and circularization of their loss and other allied matters.

2. Establishment matters of the officers belonging to I.P., I.P.S., and U.P. Police Service are dealt with in Appointment (C) Department, Chapter 3.



VII, VIII and IX—*Home (Police D-I, II and III) Departments*

Grant of visas to Pakistani nationals visiting India on Pakistani Passport, Registration of Pakistani nationals, Deportation of Pakistani nationals on overstaying in India.

X—*Home (Police-E) Department*

Arms, Ammunitions and other equipment required for the Police Force, Budget of Police Department, Police Buildings, Dress Regulations, Police arrangements in fairs, melas and visits of VIPs, Fire Services, Railway Security Police, Government Railway Police, Identification proceedings, Jan Sewak, Police Motor Transport, Police Central Store, Police Hospitals and Mortuaries, Police Museum, Police Act and Regulations, Rewards to Police personnel, Secretariat Establishment of Home Secretary's Branch.

## POLICE HEADQUARTERS

6.1.16. The Inspector-General of Police who is in overall charge of the entire Police force in the State has his headquarters at Lucknow. All matters relating to policies and establishment of gazetted officers are dealt with by him with the assistance of an Assistant to the Inspector-General and a Deputy Assistant. The administrative office for Police Administration is the Police Headquarters at Allahabad (formerly called Inspector-General's Office) under the charge of a Deputy Inspector-General of Police. The overall supervision of the Railway Police also vests in him and he is, therefore, designated as Deputy Inspector-General of Police, Headquarters and Railways. All matters concerning the Police up to the rank of Inspectors including the ministerial staff as also the pensions of gazetted officers are dealt with at the Police Headquarters, Allahabad. An Additional Inspector-General of Police also looks after, with effect from November 28, 1967, all the work connected with Crime and the Criminal Investigation Department in the State.

6.1.17. The Deputy Inspector-General of Police, Headquarters, exercises all powers on behalf of the Inspector-General of Police and is the controlling officer in respect of the entire Police Budget. He makes lump sum provision to the various Police units who incur expenditure within that allotment. Posting and transfer of all non-gazetted Police Officers, from one Range to another are arranged by him. He is assisted by a Superintendent of Police, Headquarters, and a Deputy Superintendent of Police, Headquarters.

6.1.18. The Headquarters office consists of seventeen sections with four Office Superintendents dealing with Police budget allocation, appointment, transfer, pension, supply of uniform, arms and ammunition, appeals, buildings, funds, motor transport, etc. The total staff working in the Police Headquarters including the offices of the Inspector-General of Police at Lucknow and Range Deputy Inspectors-General of Police on February 29, 1964, was:

Gazetted officers	..	13
Superintendents	..	4
Head Clerks	..	23
Assistant Clerks	..	173
Stenographers	..	17
Head Constables and Constables		12
Class IV staff	..	59
Computer	..	1
Sub-Editor	..	1

The sanctioned strength of non-gazetted<sup>a</sup> district Police Force then was as below:—

Inspectors	575
Sub-Inspectors	4,651
Head Constables	11,226
Constables	61,341
	<hr/>
	77,793

#### POLICE RANKS TO THE MINISTERIAL STAFF

6.1.19. With a view to ensuring that the whole Police Department comprising of the Force and the Ministerial staff works as a disciplined unit, the entire ministerial staff of the Department has been, with effect from September 6, 1966, converted into a cadre of the Police Force named as Ministerial Cadre of the U.P. Police Force with the ranks of Inspectors, Deputy Inspectors, Sub-Inspectors, Assistant Sub-Inspectors and Constables. This Cadre comprises of two Sub-cadres, viz., Police HQ Cadre and the District Executive Force Cadre. The PHQ Cadre consists of the staff in Police Headquarters, C.I.D. and Intelligence Departments, whereas the D.E.F. Cadre has in its fold the staff of the Police Offices in districts, as well as P.A.C., Central Stores, P.M.T. Workshop, Radio Section, G.R.P. HQ and G.R.P. Sections. This new Cadre will henceforth be

3. Details of gazetted officers are given in Chapter 3—Appointment (C) Department.

4.	Rank	Scale
		Rs.
(1)	Inspector of Police (M)	350—500
(2)	Dy. Inspector of Police (M)	150—350
		(with a start of Rs. 166 or Rs. 250 as the case may be)
(3)	Sub-Inspector of Police (M) Grade I	160—290
(4)	-do- Grade II	160—280
(5)	-do- Grade III	150—260
(6)	Assistant Sub-Inspector of Police (M) Grade I	120—250
(7)	-do- Grade II	100—200
(8)	Constable (M)	80 (fixed).

subject to the various rules, regulations and orders under the Police Act in respect of restrictions, liabilities, penalties, privileges and facilities.

6.1.20. The State Police has been divided into several Branches or sub-departments as detailed below to achieve its objectives of maintenance of internal security, law and order.

#### CRIMINAL INVESTIGATION DEPARTMENT

6.1.21. Till 1946, the Department was feeding the Government with political intelligence and was investigating intricate cases only but soon afterwards an Anti-Corruption Department under a Deputy Inspector-General of Police was formed for investigation of cases of corruption and complaints against government servants in general and gazetted officers in particular. This Department was subsequently merged with the C.I.D. in 1949, when the Crime Information Bureau was also formed. A dog squad was added to the organization in 1957. When the work gradually increased, it became necessary in 1958 to bifurcate the Department into two branches—Intelligence and Investigation. The Deputy Inspector-General of Police, Intelligence, was made responsible for the Special Branch for collection of political information, security of VIPs, training of the staff to deal with political activities in the State and registration of foreigners, etc., and the Deputy Inspector-General of Police, Investigation, for the Investigating Branch, Scientific Section, Finger Print Bureau and State Crime Information Bureau. It was, however, subsequently felt that the name C.I.D. should be restored and, therefore, the Investigation Branch was re-named as C.I.D. under a Deputy Inspector-General of Police, C.I.D. An Additional Inspector-General of Police was put in charge of this organization in 1961 but the old arrangement was restored again next year. The post of Additional I.G. was, however, revived in November, 1967. The main branches of the C.I.D. are:

1. Crime Branch.
2. Scientific and Finger Print Bureau.
3. Administration Branch.
4. State Crime Information Bureau.

1. *Crime Branch.* This is a Central agency for collection and dissemination of criminal intelligence to the departmental units and the Government of India and for investigation of offences which are beyond the capacity of the District Police to deal with. This Department also publishes the Criminal Intelligence Gazette. The work is supervised by Superintendents of Police with Deputy Superintendents of Police, Inspectors, legal advisers (Senior Public Prosecutors) and other subordinate staff at the Headquarters. The Branch maintains a Dog Squad under a Deputy Superintendent of Police at the headquarters and at Agra, Allahabad, Kanpur and Varanasi for giving clues to the Police in investigating crimes. A training reserve is maintained at the headquarters for training their handlers. The Branch consists of

seven Sectors, each being coterminous with a Police Range. The Sector Headquarters are located at Agra, Bareilly, Gorakhpur, Kanpur, Lucknow, Meerut and Varanasi each under a Deputy Superintendent of Police designated as Sector Officer with necessary executive staff and Public Prosecutors.

2. *Scientific and Finger Print Bureau.* Though a laboratory was added to the C.I.D. as early as 1922, arrangements for giving opinion in handwriting cases were made in 1950 after a Deputy Superintendent of Police was trained in it. There is also a Forensic Science Laboratory at Lucknow under the charge of a Director. The object of this Section is to examine and investigate cases of Finger prints, Fire Arms, Restoration of Number on metals, tool-marks, handwriting verification, etc. A Superintendent of Police supervises the work with two Deputy Superintendents of Police at Lucknow and one Deputy Superintendent of Police at Allahabad.

3. *Administration Branch.* As a result of increase in the number of complaints against non-gazetted staff of the State Government and pressure of public opinion for proper and prompt enquiries, a Deputy Superintendent of Police (Complaints) was posted in each district in 1956, under the charge of a Deputy Inspector-General of Police (Administration) at Lucknow, who was assisted by a Superintendent of Police (Administration) and a few staff officers. The arrangement was known as 'Complaint Scheme' dealing with corruption, extortion, harassment and wilful vindictiveness by the non-gazetted staff. This scheme was, however, abolished in June, 1962 and a Deputy Superintendent of Police, Anti-Corruption Branch, C.I.D. has been posted at each Range Headquarters to function as Complaints Officer under the supervision of the Superintendent of Police, Administration, Lucknow, with overall charge of the Deputy Inspector-General of Police, C.I.D., U.P., Lucknow, to deal with important complaints relating to corruption and extortion against inspectors, sub-inspectors, public prosecutors and assistant public prosecutors, of Police Department and non-gazetted officials of equivalent rank of other departments.

4. *State Crime Information Bureau.* The State Crime Information Bureau collects, co-ordinates and disseminates information about all important crimes and criminals throughout the State and also on inter-State level. This Branch is under the charge of a Deputy Superintendent of Police.

#### INTELLIGENCE BRANCH

6.1.22. The activities and functions of the Intelligence Branch are of a secret nature and cannot be narrated here. The work is supervised by a Deputy Inspector-General of Police, Intelligence.

#### GOVERNMENT RAILWAY POLICE

6.1.23. This is a separate branch of the U.P. Police under an Assistant Inspector-General of Police with headquarters at Allahabad exercising supervisory control over the whole of the Railway Police.

which is divided into five sections, each under a Deputy Superintendent of Police designated as Section Officer with headquarters at Agra, Allahabad, Gorakhpur, Lucknow and Moradabad. Along with the usual Police force, each Section has a small plain clothed staff known as the Criminal Investigating Agency, for collecting intelligence, shadowing criminals and investigating cases having ramifications over wider areas. The Railways have created a Ticketless Travelling Squad for suppressing the evils of ticketless travelling. This Squad has a number of Magistrates who are constantly on the move in trains. It has a strength of 13 Sub-Inspectors, 47 Head Constables and 307 Constables, who are distributed over the five sections. This force works under the Government Railway Police, but its operational movements are controlled by the Railway Magistrates. During 1947 as a result of large scale outbreak of communal disturbances, an armed force known as Railway Protection Police was created for the protection of the life and property of the travelling public by deputing armed guards to go on trains. This force was under the operational control of Section Officers and disciplinary control of an Officer called Regional Officer, Railway Protection Police. Gradually this force, being paid by the Railways, was abolished and its place was taken over by Railway Protection Force under the Railway Administration itself.

#### PRADESHIK ARMED CONSTABULARY

6.1.24. This force, which is a highly mobile armed reserve, is generally used for (i) maintaining law and order in the event of large scale riots, agitations, strikes, etc., (ii) arrangements in big melas, elections, visits of dignitaries, (iii) operations against noted dacoits, (iv) guarding residences of high personages and arrangements in connection with religious festivals. Government of India often utilizes the services of this force outside the State. The Pradeshik Armed Constabulary consists of 19 Battalions detailed below:—

*(As on February 1, 1969)*

1. IA	Bn. Allahabad	10. XIV	Bn. Kanpur
2. III	Bn. Lucknow	11. XV	Bn. Agra
3. V	Bn. Varanasi	12. XX	Bn. Silchar, Assam.
4. VI	Bn. Meerut	13. XXIII	Bn. Moradabad
5. VIIA	Bn. Sitapur	14. XXIV	Bn. Moradabad
6. VIII	Bn. Bareilly	15. XXV	Bn. Kanpur
7. XA	Bn. Jahangirabad, Bara Banki	16. XXVI	Bn. Gorakhpur
8. XI	Bn. Sitapur	17. XXVII	Bn. Sitapur
9. XIIA	Bn. —	18. XXVIII	Bn. Chunar, Mirzapur
		19. XXIX	Bn. —

The headquarters of XIIA and XXIX Battalions could not be established for want of accommodation. Companies of these two Battalions were attached to other Battalions. The temporary Battalions at item numbers 1 and 5 were raised in lieu of II and IV permanent Battalions which were sent on deputation with the Government of India. After

the latter's absorption into the Central Reserve Police, it was proposed to revive them here and abolish the two temporary Battalions mentioned above. The Constabulary works under the charge of a Deputy Inspector-General, P.A.C. Each Battalion is under a Commandant who is generally assisted by two Assistant Commandants, one Adjutant, one Quartermaster, Company Commanders (Reserve Inspectors), Platoon Commanders (Sub-Inspectors Armed Police) and Head Constables and Constables, Armed Police. The Battalion is also provided with a fleet of motor vehicles. There is also a Police Hospital attached to each unit. One of the units of the P.A.C. at Moradabad was separated during 1953 and called Special Police Force to guard National Frontiers. Regular check-posts have also been established by the Government of India along the main routes across the Himalayas. Some of check-posts are almost inaccessible and it has not been possible to provide permanent accommodation there—personnel live in tents. These places are 16,000 to 18,000 feet above sea level. The men of the Special Police Force have been provided with special clothing and equipment to keep them fit for operating at such high altitudes. They have also been sanctioned Special Diet Allowance and provided with radio transmitting and receiving sets as there is no postal services to and from these posts. A contingent of the P.A.C. is posted at Jammu and Kashmir. Its companies are drawn from the regular Battalions.

#### DISTRICT POLICE

6.1.25. The State has been divided into eight Ranges for Police Administration. The Range Deputy Inspector-General of Police is responsible for efficiency of the police within his Range which comprises of the Districts shown below:—

<i>Sl. No.</i>	<i>Name of Range and headquarters</i>	<i>Name of Districts allotted to each Range</i>
1.	Meerut Range	Meerut, Bulandshahr, Muzaffarnagar, Saharanpur and Dehra Dun.
2.	Varanasi Range	Varanasi, Mirzapur, Ghazipur, Jaunpur, Ballia, Azamgarh.
3.	Lucknow Range	Lucknow, Sitapur, Hardoi, Bara Banki, Kheri, Rae Bareilly, Pratapgarh, Unnao.
4.	Kanpur Range	Kanpur, Fatehpur, Allahabad, Banda, Hamirpur, Jalaun, Jhansi.
5.	Bareilly Range	Bareilly, Bijnor, Budaun, Moradabad, Pilibhit, Shahjahanpur, Rampur.
6.	Agra Range	Agra, Mathura, Etah, Aligarh, Mainpuri, Etawah, Fatehgarh.
7.	Gorakhpur Range	Gorakhpur, Basti, Gonda, Bahraich, Faizabad, Deoria, Sultanpur.
8.	Hills Range (Naini Tal)	Naini Tal, Almora, Chamoli, Pithoragarh, Uttarakashi, Garhwal and Tehri-Garhwal (Except for Naini Tal, where there is a Superintendent of Police, Deputy Superintendents of Police are in-charge of the remaining districts in Hills Range.)



6.1.26. The Range Deputy Inspector-General of Police inspects each Branch of a district in his Range at least once in a year and gives directions to District Superintendents as and when necessary. He is the directing, controlling and co-ordinating authority between the districts of his Range, other Ranges and the Inspector-General of Police. He sends fortnightly reports of occurrences in his Range to the Inspector-General of Police.

6.1.27. The Superintendent of Police is the executive head of the District Police Force. He is responsible for efficiency and discipline of the Force and for ensuring maintenance of peace. He keeps contact with the people of the district and has to keep full knowledge of happenings in his jurisdiction. There are under him Assistant and Deputy Superintendents of Police, Circle Inspectors, Public Prosecutors, Reserve Inspectors, Sub-Inspectors, Assistant Public Prosecutors, Head Constables and Constables. There is a Police Hospital attached to the Police Lines in every district which is looked after by an officer of the P.M.S. or by a Jail doctor. The district is divided into Police Circles comprising on an average of 4 to 5 Police Stations and the charge of Circle is held by a Deputy Superintendent of Police. The Police Force in a district is divided into Armed Police, Civil Police, Traffic Police and Mounted Police. Almost all the Armed Police meant for guard duty is kept in Police Lines under the charge of a Reserve Inspector of Police. The Civil Police provides manpower to Police stations, Out Posts, Watch and Ward, Contingent Reserve and miscellaneous duties such as at the office of the Superintendent of Police, the Public Prosecutors, etc.

6.1.28. There are two types of Police stations—Urban and Rural. The Police Stations are further sub-classified as First Category and Second Category. As a result of the recommendations of Police Reorganization Commission, Circle Inspectors are now incharge of important Police Stations whereas other urban and rural Police Stations are under the charge of Sub-Inspectors. Both Inspectors and Sub-Inspectors incharge of Police Stations are assisted by other Sub-Inspectors, Head Constables and Constables.

6.1.29. The Traffic Police is mainly concerned with directing traffic on busy cross-roads and controlling the parking of vehicles in crowded areas of the city. It checks minor violations of the Motor Vehicles Act and Rules and breaches of Municipal Bye-Laws regarding traffic. A large portion of this force is posted in eight big cities, namely Agra, Allahabad, Bareilly, Dehra Dun, Kanpur, Lucknow, Meerut, and Varanasi where traffic control has assumed importance.

6.1.30. The Mounted Police is mainly used for patrolling roads conveying communications of special urgency, ceremonial escorts, traffic control, controlling crowds in big fairs and festivals, etc. The Mounted Police is stationed at Agra, Allahabad, Faizabad, Kanpur, Lucknow, Meerut and Varanasi. A small unit is also attached to the Police Training College, Moradabad.

6.1.31. There is also a small River Police stationed at Allahabad, Kanpur and Varanasi. The function of this force is mainly protection of life and property on river and protection of visitors and pilgrims against cheating by touts, boatmen and imposters.

6.1.32. Each district has a Prosecution Branch. The duty of an Investigating Officer is to enquire into the facts of an alleged crime. The process initiated by the Police is continued through enquiry and trial before a Magistrate where the Public Prosecutor conducts proceedings on behalf of the police. The Prosecutor also advises the Police on legal matters arising in the course of investigation. There is in each district one Public Prosecutor except in Kanpur where there are two, and three to ten Assistant Public Prosecutors according to the need of the district. In the important cities of Agra, Aligarh, Allahabad, Bareilly, Basti, Fatehgarh, Kanpur, Lucknow, Meerut and Varanasi there is a Senior Public Prosecutor of the rank of Deputy Superintendent of Police. A Senior Public Prosecutor is also attached to the office of the Government Advocate in the High Court of Judicature at Allahabad.

6.1.33. The Police Motor Transport Workshop, Sitapur is the maintenance depot for the large fleet of motor vehicles attached to various units and districts; it also arranges the training of drivers and mechanics. It is run under the supervision of a Police Motor Vehicles Officer who is assisted by a Reserve Inspector.

6.1.34. As the telegraph and telephone lines are vulnerable to disruption and since they cannot be extended everywhere, the Police has established a Radio net-work of its own. This is in existence since 1939. Today it covers every district and all important places for dealing with law and order problems, in the apprehension of criminals and in the controlling of natural calamities. The latest additions to the facilities provided by the Radio Section are the control rooms and Mobile Vans in the cities of Kanpur and Lucknow which are equipped with radio transmission and receiving equipment. The Radio Section has a modern and very well equipped workshop in Lucknow. It has a training school for police personnel. The head of the Police Radio Section is the State Radio Officer who is assisted by Assistant Radio Officers, Radio Inspectors, Radio Maintenance Officers, Radio Station Officers and other Head Operators and Operators, etc.

6.1.35. The State Fire Service functions at present in Agra, Allahabad, Kanpur, Lucknow, Meerut, Gorakhpur, Ghaziabad, Bareilly, Moghulsarai and Varanasi and serves the public in fire fighting and rescue work under difficult operational conditions with five Chief Fire Officers with headquarters at Allahabad, Kanpur, Agra, Varanasi and Lucknow, Fire Station Officers, Fire Station Second Officers, Drivers and Firemen. The Service works under the supervision of the Superintendent of Police of the district. There is a State Fire Service Training Centre at Allahabad.

6.1.36. The Central Stores, Kanpur, under the charge of a Quarter Master of the rank of Deputy Superintendent of Police arranges all the clothing and other requirements of the Police Force.

## POLICE TRAINING SCHOOLS

6.1.37. The first Police Training School was established at Allahabad in 1893. The chief object was to train investigating officers in legal knowledge and procedure. In 1902 a School was set up at Moradabad to train gazetted officers and Sub-Inspectors. In 1941, the Police Training School was up-graded as College. For lower ranks a Police Training School was started at Sitapur. The following courses are run regularly at the Police Training College along with some other short courses such as Pedagogy Course and Gazetted Officers Refresher Course:—

1. I.P.S. Officers' Course (6 months only after completing their Course of 12 months at Central Police Training College, Abu).
2. Deputy Superintendent of Police Course—16 months (including 2 months District Practical Training).
3. Sub-Inspectors, Civil Police Course—12 months
4. Assistant Public Prosecutor Course (Directly recruited law graduates)—12 months.
5. Head Constables, Civil Police Course—8 months.

The Deputy Inspector-General of Police, Training-cum-Principal, Police Training College is assisted by an Assistant Principal, a few Deputy Superintendents of Police, Professors, Instructors and a Librarian.

6.1.38. The following Courses are run regularly at the Armed Training Centre of the Training School at Sitapur:—

1. Reserve Sub-Inspector Course (6 months at A.T.C. and 1 month at P.M.T. Workshop).
2. Sub-Inspector, Armed Police Course (6 months at A.T.C. and 1 month in P.A.C. unit).
3. Directly enlisted Platoon Commanders (8 months at A.T.C. and 1 month in P.A.C.).
4. Head Constables, Armed Police Qualifying Course (6 months).
5. Physical Training Instructors Qualifying Course (6 months).
6. Buglers Qualifying Course (6 months).

Short-time courses such as Advance Drill Instructors Course, Constable Traffic Police Course and Refresher Courses are also run at the School, which is under the charge of a Headmaster (Public Prosecutor) working under the supervision of the Commandant, P.A.C. Bn. Sitapur. The Headmaster is assisted by two Assistant Masters (Assistant Public Prosecutors) three Teachers (Sub-Inspectors) one Plan Drawing Instructor (Sub-Inspector), Drill Instructors, Physical Instructor, Musketry Instructor and Bugler Instructor.

6.1.39. The training of recruits (Constables) is imparted at the Recruits Training Centres, the number of which varies according to the needs.

#### VILLAGE POLICE

6.1.40. A Village Chaukidar who is a part-time servant is the only agency of the Police in a village. He is appointed by the District Magistrate under the North-West Provinces Village and Road Police Act, 1873 or under the Oudh Laws Act, 1876. His primary duties include watch and ward, carrying of messages and information to Police Stations, Surveillance of bad characters and general assistance to the Police. The total permanent strength of the Village Chaukidars in the State is 45,577. The Police Re-organization Committee had recommended the substitution of the Village Constables in place of the Chaukidar and in 1955 Government sanctioned on an experimental basis the replacement of Village Chaukidars by resident Constables in Police Circle, Baghrai in District Pratapgarh and Police Circle, Sikandrabad in District Bulandshahr. In the former Circle 80 Village Chaukidars were replaced by 18 Police Constables. This experiment has been in operation for so many years but reliable conclusions about its merits could not properly be drawn because the experiment was made on much too small a scale.

#### 6.1.41. Committees and Boards:

##### 1. *Standing Committee of the Legislature for Police*

This committee under the Chairmanship of the Home Minister and with Members of Legislature as its members, gives advice to the Government in matters concerning general policies in Police administration.

##### 2. *Sport Board*

With a view to keeping the members of Police Force active and energetic, great emphasis is given by the Organization on sports and allied activities. The Inspector-General of Police is the head of the Sports Control Board of the U.P. Police. Arrangement for holding tournaments at district and Range levels are made by the Commandant, P.A.C. and Training Centre, Sitapur, who is the Honorary Secretary of the Board.

6.1.42. The Department publishes a Hindi Magazine 'Jan Sewak'.

## Acts, Rules, Regulations, Manuals etc. relating to Police Department

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
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*Acts*

1.	The Indian Police Act	1861	Government of India.
2.	Public Gambling Act	1867	-do-
3.	Cattle Trespass Act	1871	-do-
4.	Indian Christian Marriage Act	1872	-do-
5.	Indian Arms Act. (Replaced the old Act of 1878 and came into force from October 1, 1962)	1959	-do-
6.	Indian Explosives Act	1884	-do-
7.	Police Act.	1888	-do-
8.	Metal Tokens Act	1889	-do-
9.	Indian Extradition Act	1903	-do-
10.	Indian Criminal Law (Amendment) Act	1908	-do-
11.	Prevention of Seditious Meetings Act.	1911	-do-
12.	Identification of Prisoners Act	1920	-do-
13.	Indian Passport Act	1920	-do-
14.	Police (Incitement to Disaffection) Act	1922	-do-
15.	U. P. Special Powers Act	1932	State Government.
16.	Criminal Law (Amendment) Act	1932	Government of India.
17.	Petroleum Act	1934	-do-
18.	Registration of Foreigners Act	1939	-do-
19.	Foreigners Act	1946	-do-
20.	U.P. Requisition of Motor Vehicle (Emergency Powers) Act	1947	State Government.
21.	Prevention of Corruption Act	1947	Government of India.
22.	Diplomatic and Consular Officers (Oaths and Fees) Act	1948	-do-
23.	U. P. Rakshak Dal Act	1948	State Government.
24.	Provincial Armed Constabulary Act	1948	-do-
25.	Prevention of Crimes (Special Powers) Act	1948	-do-
26.	U. P. Objectionable Advertisements Control Act	1948	-do-

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
27.	Police Act.	1949	Government of India.
28.	Central Reserve Police Force Act	1949	-do-
29.	U. P. Flood Emergency Powers (Evacuation and Requisition) Act	1951	State Government.
30.	Criminal Law (Composition of Offences) U. P. Amendment Act	1956	-do-
31.	Railway Stores (Unlawful Possession) Act	1955	Government of India.
32.	Young Persons (Harmful Publications) Act	1956	-do-
33.	Citizenship Act.	1955	-do-
<i>Rules, Regulations &amp; Manuals</i>			
34.	Handbook for Station Officers, Vol. I	1913	State Government.
35.	Handbook for Station Officers, Vol. II	1918	-do-
36.	Criminal Investigation Department Manual	1927	-do-
37.	Rules relating to Police Training College, Moradabad, Part I-IV	1936	-do-
38.	U. P. Arms Manual	1936	-do-
39.	Registration of Foreigners Rules	1939	Government of India.
40.	U. P. Police Rules for Guards & Escorts	1945	State Government.
41.	U. P. Police Dress Regulations	1946	-do-
42.	Foreigners Orders	1948	Government of India.
43.	Finger & Foot Print Manual	1949	State Government.
44.	Office Manual for Superintendent of Police	1949	-do-
45.	Registration of Foreigners (Exemption) Order	1949	Government of India.
46.	Indian Passport Rules	1950	-do-
47.	U. P. Habitual Offenders Restriction Rules	1952	State Government.
48.	U. P. Fire Service Training Manual	1955	-do-
49.	Government Railway Police Manual	1955	-do-
50.	Citizenship Rules	1956	Government of India.
51.	U. P. Habitual Offenders Restriction Rules	1957	State Government.



<i>Sl. No.</i>	<i>Name of Act Rule, Regulation, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
52.	Foreigners Protected Area Order	1957	Government of India
53.	Foreigners (Exemption) Order	1958	-do-
54.	U. P. Police Regulation	1959	State Government

#### Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Report on the Administration of Police in U.P.	January-December	1861	Inspector General of Police.

## 6.2. HOME (JAILS) DEPARTMENT

6.2.1. The institution of jails is of British origin and was introduced in India as a part of British administration. Before its advent, the usual punishments inflicted on ordinary culprits were beheading, mutilation, branding, fines, confiscation of property and banishment. These punishments did not impose any financial burden on the State. The Directors of the East India Company were reluctant to spend money on jails and although jails were modelled on British lines, the conditions obtaining here were extremely bad. They were uncommodious, board was inadequate, clothing and medical provision for the prisoners were almost nonexistent. Jails were run by district magistrates who were generally indifferent. In 1835 Lord Macaulay drew attention of the Government of India to the terrible conditions prevailing in Indian jails. He commented severely on corruption of subordinate establishment, laxity of discipline and on the system of employing the convicts on extramural labour on public roads. The prisoners were made to work outside jails in fetters, in prison clothes and under strict guard. A committee appointed for the first time to look into the conditions of the jails submitted its report in 1838. Apart from the recommendations dealing with provision of accommodation, etc., for prisoners, one of the main recommendations of the Committee was the appointment of an Inspector-General of Prisons, in each province. This recommendation was implemented for the first time in 1844. It was also a result of the recommendation of this Committee that a Central Prison was constructed at Agra in 1846 which also happens to be the first Central Prison in India. It was followed by establishment of Central Prisons at Allahabad and Bareilly in 1848, at Banaras (now Varanasi) and Fatehgarh in 1864 and at Lucknow in 1867. In the beginning, magistrates were also designated as Superintendents of District Jails. It was in 1862 that they were replaced in this State by Civil Surgeons on an experimental basis. The experiment was so successful that the Government of India decided two years afterwards to adopt the same practice throughout India.

6.2.2. The second all-India Committee to examine the question of Jail reform was appointed by the Government of India in 1864. The Committee made many recommendations dealing with matters relating to minimum space for each prisoner, diet, clothing, bedding and regular medical inspection of prisoners, employment of medical officers for jails, separation of juveniles from other prisoners and their education. The Committees appointed subsequently in 1877 and 1889 reviewed the working of prisons generally. Their recommendations resulted in elaborate rules for keeping account in jails, jail supplies and other aspects of jail administration. Separation of undertrial prisoners, classification of prisoner into casual and habitual, building of a hospital in each jail resulted from the deliberations of the Committee appointed in 1889. Committees set up in 1892 and 1919 again touched upon all aspects of prison administration.

6.2.3. With the introduction of constitutional reforms in 1919-20, the administration of jails was transferred to the States. The first Committee appointed by this State was the United Provinces Jails Inquiry Committee of 1929. This Committee made several recommendations but for want of finances most of them could not be introduced. The Jail Reforms Committee set up subsequently in 1939, devoted special attention to the Jail industries. It went into the question of wages, recommended new industries for prisons and suggested methods to be employed to induce Government to buy jail-made products for departmental use. Other recommendations included were the appointment of whole-time Superintendents for district jails with population of over 500 prisoners, a cadre of medical subordinates for prisons and appointment of assistant jailors. It was followed by the Jail Reforms Committee of 1946, on the recommendations of which numerous changes in the system of administration and reformation of individual prisoner were effected. The reform included the conversion of the Central Prison, Lucknow into a Model Prison in 1949 for the concentration of well behaved casual long term prisoners as against habitual convicts. Practically all these committees devoted their attention to the improvement in amenities to prisoners and methods for their correctional treatment. It was again considered necessary to examine the entire question of jail industries and the manner in which they should be run with a view to effecting improvements and to ascertain if any new industries could be usefully introduced to help prisoners in learning crafts which might ultimately enable them to rehabilitate themselves. The State Government accordingly appointed a Jail Industries Inquiry Committee in 1955, which made far-reaching recommendations for enabling prisoners to learn trades and art for their ultimate rehabilitation as useful citizens after release.

6.2.4. Women prisoners had been neglected and their rehabilitation received no special attention. They were kept in the women's sections of the Central Jails at Varanasi and Naini. In order to give full benefits of the reforms to the women prisoners, a new women's home was opened at the Model Prison, Lucknow. This is a Correctional Home for women prisoners. In this home special efforts are made to train women prisoners in useful arts and vocations, *e.g.*, mid-wifery, nursing, domestic services, care of children, cooking, sewing, needle work, knitting, gardening, spinning, etc., so as to enable them on release to earn their livelihood and to take their place in society without fear of being treated as outcasts.

6.2.5. The Model Prison, Lucknow was established in 1949 with the aim of developing a self-sufficient colony with a working environment similar to the world outside. The inmates of this institution are selected after a period of six months observation-cum-training, if they offer to join the scheme under which they have to shoulder responsibility of earning enough to meet the cost of their living and other requirements. In this institution employment is available in cottage industries, vegetable cultivation or agricultural farm.

6.2.6. In 1952, with a view to rehabilitate prisoners, a large num-

ber of them were employed in a work of public utility, viz., construction of a dam in the Varanasi district in open conditions under as little watch as possible. The experience showed that the employment of prisoners on productive work of national importance, e.g., construction of dams, digging of canals, etc., under conditions of freedom approaching normal life was both physically and psychologically more beneficial to the prisoners than confinement in a closed prison. The prisoners were later employed on construction of a bridge over the river Varuna and a road to Sarnath, construction of Nanaksagar Dam, etc. The prisoners employed on these schemes got wages. It also enabled them to regain their self-respect and develop a sense of social responsibility coupled with a desire to be self-supporting. A still bolder step was taken in this connection by employing prisoners in the Tarai State Farm, Pant Nagar, District Naini Tal. Fifty long-term prisoners were released on parole for a period of one year in October, 1957, and were sent to Tarai State Farm where they worked exactly on the same terms and entirely under the same conditions as free labourers without any jail official to guard them. This practice is still continuing. Prisoners working at these farms get wages, and make their own arrangements for board and lodging. They are permitted even to keep their families with them, if they like. If the work and conduct of these prisoners remains satisfactory at the farms, the unexpired portion of the sentence passed upon them is remitted by Government and they are released from Jail.

6.2.7. It was, for the first time in the history of prison administration that a conference of prisoners and ex-prisoners was held at Lucknow in the year 1957. They were called upon to express their views and give suggestions on jail reforms and on the schemes for their reformation and rehabilitation. About forty ex-prisoners came to attend the conference on invitation. Fifty prisoners confined in various jails in the State were released on parole to attend the conference as delegates. All these prisoners were undergoing long terms of imprisonment and most of them were convicts of offences like murder and dacoity. In the inaugural session of the conference an ex-prisoner and two prisoners, one of whom was a woman, delivered speeches. All of them appreciated Government's move and endeavour towards the reformation and rehabilitation of prisoners. A number of useful suggestions and recommendations were made in the conference, some of which have been implemented.

6.2.8. During the British Rule the aim of punishment was to subject the man, who committed an anti-social act, to discomforts on the ground that such punishment acted as a deterrent to the urge to commit a crime again. The entire edifice of Jail administration was built on rigorous discipline and regimentation of prisoners' lives. As such the conditions in jails were more or less inhuman. Experience showed that such a treatment only helped in making a man even more hostile to the society. Since the attainment of freedom the whole concept of jail administration has changed and now the idea is that while the fear of going to prison would deter the general public from

committing anti-social acts, it should try to make the individual fit for effective community living. All reforms introduced in the prisons revolve round the basic idea that an individual be trained in such a way that he may on release become a useful member of the society. Reforms introduced in prisons in recent years centre round the training of staff, classification of prisoners, educational programmes, prisoners' employment and training in vocations, psychological treatment, improved medical treatment, recreational activities including sports and games, training in social responsibility through parole, probation and home leave, general facilities, contact with outsiders, release and remission system, aftercare of prisoners, system of local-self government in prisons, special treatment of juveniles, changed conception of discipline in Jails, diet and clothing of prisoners and sanitation.

6.2.9. The Home (Jails) Department consists of a Secretariat and the office of the Inspector-General of Prisons, U.P., Lucknow. The portfolio of Jails is held by any one of the Ministers, who is not necessarily the Home Minister. The Department which is under the overall charge of Home Secretary<sup>5</sup> is looked after by one Deputy Secretary. It has two sections, each under a Superintendent.

#### INSPECTOR-GENERAL OF PRISONS, U.P.

6.2.10. The Head of the Jail Department is designated as Inspector-General of Prisons with headquarters at Lucknow. He is assisted by two Deputy Inspectors-General of Prisons, Director of Jail Industries and his Personal Assistant.

6.2.11. The Office of the Inspector-General of Prisons is divided into 12 sections dealing with specific subjects and different aspects of the Jail Administration. Jail Industries are looked after by the Director of Jail Industries at the Headquarters. He assists the Inspector-General of Prisons in all matters concerning Jail Industries.

#### REGIONAL AND FIELD OFFICES

6.2.12. There are at present, sixty-five institutions under this Department. The charge of Central Prisons at Agra, Bareilly, Fatehgarh, Naini, Varanasi, Model Prison, Lucknow, and District Jails at Agra, Aligarh, Bareilly, Varanasi, Faizabad, Gonda, Gorakhpur, Kanpur, Lucknow, Meerut, Rae Bareilly, Sitapur, Sultanpur and Unnao; Sampurnanand Camps, Sitarganj, District Naini Tal and Ghurma Markundi, District Mirzapur, is held by whole-time Superintendents. The charge of other district jails is held by part-time Superintendents who are the Civil Surgeons or Medical Officers or Sub-Divisional Magistrates. Apart from the Central Prisons mentioned above and the Model Prison at Lucknow, there is a Jail at each district headquarters except for Chamoli, Uttar Kashi and Pithoragarh. In addition,

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5. The charge of Jails Department remained under another Secretary from January 1 to June 3, 1968, who held it in addition to his duties as Secretary to Chief Minister and later Secretary to the Governor.

there is a Sadar Lock-up at Gorakhpur and one sub-jail each at Gyanpur and Roorkee. There is also a Reformatory School at Lucknow and a Juvenile Jail at Bareilly. The administrative set up of the district Units is that the Superintendent is the head of a Prison. He is assisted by Deputy Superintendent in Central Jails, Jailors, Deputy Jailors, Assistant Jailors, Accountants, Medical Officers, Assistant Medical Officers, Education Teachers, Compounders and other technical staff. The number of staff attached to each jail depends on its status and actual requirements.

6.2.13. The special institutions of the Department are:

1. *Model Prison, Lucknow*

The Model Prison, Lucknow aims at being a self-sufficient colony with an environment of work similar to the world outside. The inmates of this institution are released after a period of six months observation-cum-training if they offer to join the scheme under which they have to shoulder the responsibility of earning enough to meet the cost of their living and other requirements. The responsibility of the administration is merely to provide an opportunity whereby they can work or get employed. Employment can be available in cottage industries, vegetable cultivation or agricultural farms. In all these spheres the main point is that they are not paid wages, i.e., they are not employees of any authority but are themselves the worker-owners of the cottage industry or the field or the farm. For starting a particular undertaking they are free to take a loan which they repay in easy instalments from their earnings. They purchase raw material seeds or manure directly from the market or from the jail authorities on payment in cash or on credit. They are at liberty to sell their produce either to the institution or in the open market themselves. This experiment provides a positive motivation to the workers to increase their output. The Model Prison, Lucknow was established in the middle of 1949 and is successfully running since then.

2. *Nari Bandi Niketan, Lucknow*

In order to give full benefit of the reforms to the women prisoners, a new women's home was opened at the Model Prison, Lucknow. This is a Correctional Home for women prisoners. In this home special efforts are being made to train women prisoners in useful arts and vocations suitable for women so as to enable them on release to earn a livelihood and to take their place in society without fear of being treated as outcasts.

3. *Sampurnanand Camp, Ghurma Markundi, District Mirzapur*

The open camp was established at Churk in District Mirzapur in March, 1956. The inmates have been employed for breaking and quarrying limestone for the Government Cement Factory at Churk. They are paid for the scheduled task as also bonus for extra work done after deductions towards the cost of their maintenance. The Camp has the status of a Central Prison.



4. *Sampurnanand Agricultural-cum-Industrial Camp, P.O. Sitarganj, District Naini Tal*

An Agricultural-cum-Industrial Camp was set up near Sitarganj in District Naini Tal in 1960. Six thousand acres of agricultural land has been provided for the Camp. The prisoners are employed on agricultural and industrial work undertaken in the Camp. All prisoners working in this Camp including those employed on essential prison services are paid wages. No maintenance charges are recovered from them. The basic idea of opening this Camp was that besides giving the prisoners opportunities for employment on work of their choice and improving their knowledge of modern agricultural operations, they would also grow grain for the consumption of prisoners.

5. *Juvenile Jail, Bareilly*

This is a correctional institution for juveniles of sixteen to twenty-one years of age. Boys are here given individual attention and if any one fails to respond to the general training programme, he is given additional attention. The basis of the entire programme is "no force, no compulsion". The young offender is given love and affection and every effort is made to remove or at least to dilute his hostility to society. Boys have a whole days' programme of studies, vocational training and games. In their spare time and on holidays they are encouraged to take up some hobby. Education is imparted up to the Junior High School. If a boy shows special interest, he is allowed to continue his education in an outside school or college.

6. *Reformatory School, Lucknow*

This is a correctional institution for boys of nine to fifteen years of age. Boys are imparted training in carpentry, tailoring, shoe-making and weaving at this institution besides school education on lines similar to the public or private schools. There is a Reformatory School Boys' Fund and the boys in the earning scheme contribute a portion of their earnings to this Fund which is managed by a Committee of the boys and utilised for their rehabilitation on release.

7. *The Jail Training School, Lucknow*

In this institution trainees of this State as well as of other States are imparted scientific training in jail administration. The school is under the charge of a Principal.

8. *The U.P. Jail Depot, Lucknow*

Here, goods made in jails are available for sale to the public.

6.2.14 Government have constituted the following Committees and Boards:—

1. *Standing Committee on Jails*

The Committee consists of twenty members and a Chairman. Sixteen of the members of this Committee are elected from the Legis-

lative Assembly and four are elected from the Legislative Council. The Minister-in-charge of Jails is the Chairman. The subjects which are ordinarily laid before the Standing Committee are all non-official Bills introduced or proposed to be introduced in the Legislature, reports of the Committees and Commissions, major questions of general policy and major schemes on which Minister-in-charge desires the advice of the Committee, annual report, etc. In cases of urgency a reference to the Committee can be dispensed with by the Minister concerned. The functions of the Standing Committee are advisory and their proceedings are confidential.

## 2. *Probation Board*

The Board was constituted under U.P. Prisoners' Release on Probation Act, 1938. The Board consists of the Home Secretary to Government, the Inspector-General and a Deputy Minister or Parliamentary Secretary nominated by the State Government as members. The Deputy Minister or the Parliamentary Secretary is the Chairman of the Board.

The applications of prisoners received from districts for release are placed before the Board for consideration. Meetings of the Board are held ordinarily twice a month to make necessary recommendations.

## 3. *Committee of Management for the Juvenile Jail, Bareilly*

The Committee consists of the following official and non-official members:—

### (i) *Official Members*

- (a) The District Magistrate, Bareilly.
- (b) The District Judge, Bareilly.
- (c) The Secretary of the District Committee of the U.P. Apradh Nirodhak Samiti.
- (d) The District Inspector of Schools.
- (e) The Superintendent, Juvenile Jail, Bareilly.

### (ii) *Non-official Members*

Six members are appointed by the State Government. Three of these are appointed on the recommendations of the Commissioner, two are selected from among the members of the Legislature and one is a non-official.

The District Magistrate and the Superintendent are the Chairman and Secretary respectively of the Committee. It meets once a month on the dates fixed by the Superintendent. In the meeting the Superintendent produces before the Committee all inmates who have been admitted in the Juvenile Jail since the date of previous meeting together with their records. Any inmate considered to be unsuitable by the Committee for admission to the Juvenile Jail is transferred to the Central Prison, Bareilly subject to the concurrence of the Superintendent. Without unduly interfering with the authority of the

Superintendent, the members of the Committee are expected to take a general interest in the management of the Juvenile Jail and the educational, vocational and physical progress of the inmates confined there. The Committee also considers cases of inmates who attain the age of 21 years for release. The cases of such inmates with recommendations of the Committee are forwarded to Government who alone are empowered to pass orders.

#### 4. *Revising Board*

This Board has been constituted for the purpose of revising the sentences of convicts. The Board consists of the following members—

##### (a) *For Central Prisons*

1. The District Magistrate within whose jurisdiction the Central Prison is situated. Chairman
2. The Sessions Judge within whose jurisdiction the Central Prison is situated. Member
3. A non-official, preferably a local member of the State Legislature, to be nominated annually by the District Magistrate of the district in which the meetings of the Board are held. Member

The Superintendent of the Central Prison where the meeting is held acts as Secretary of the Board.

##### (b) *For District Jails*

There are five Revising Boards situated at the headquarters of the following Divisions:—

1. Agra—for convicts in the district jails situated in the Agra and Meerut Divisions.
2. Allahabad—For convicts in the district jails situated in the Allahabad and Jhansi Divisions.
3. Varanasi—for convicts in the district jails situated in Varanasi and Gorakhpur Divisions.
4. Bareilly—for convicts in the district jails situated in the Rohilkhand, Garhwal and Kumaun Divisions.
5. Lucknow—for convicts in the district jails situated in the Lucknow and Faizabad Divisions.

The District Magistrate of the Headquarters district is the Chairman; the Sessions Judge of the district within which the Board meets and a non-official gentleman, preferably a local member of the State Legislature, to be nominated annually by the District Magistrate of the district in which the Board meets, are members; and the Superintendent of the District Jail, where the meeting is held, acts as Secretary of the Revising Board.

5. *Committee of Visitors for the Management of Reformatory School, Lucknow*

This Committee has been constituted under Section 17 of the Reformatory School's Act, 1897. It consists of two official and three non-official members. The term of office of non-official members is five years. A retiring member is eligible for re-appointment. The appointments are made by the Government on the recommendations of the Inspector-General of Prisons. The Committee meets at least once every month and visits the School to hear complaints and to see that requirements of the Act have been complied with and that the management of the School is proper in all respects. The Committee of Visitors examines the punishment book, brings any special cases to the notice of the Inspector-General of Prisons, U.P. and sees that no person is illegally detained in the School.

6. *Grain Purchase Committees*

The Central Grain Purchase Committee and the District Grain Purchase Committees are constituted under Paras 1312 and 1313 of the U.P. Jail Manual.

(A) The following are the permanent members of the Central Grain Purchase Committee:—

- |  |           |
|--|-----------|
| 1. Home Secretary  | President |
| 2. Inspector General of Prisons  | Secretary |
| 3. The Registrar, Cooperative Societies U.P. or his representative who may not be below the rank of Dy. Registrar. |           |
| 4. The Director of Agriculture, U.P. or his representative who may not be below the rank of Deputy Director.       |           |
| 5. The State Marketing Officer (Food Grains).  |           |
| 6. Two non-official members nominated by the State Government annually.  |           |

(B) The following are the permanent members of the District Grain Purchase Committee:—

1. The District Magistrate or a Magistrate nominated by him.
2. The Superintendent of the Central Prison (where there is one).
3. The Superintendent, District Jail.
4. The District Cooperative Officer.
5. A non-official visitor, other than a member of the Legislative Assembly to be nominated by the District Magistrate annually.
6. A non-official gentleman, preferably a businessman, not connected directly or indirectly with grain trade or with

jail contracts, to be nominated by the District Magistrate annually.

7. A member of Legislative Assembly to be nominated by the Government annually.

The Central Grain Purchase Committee is supposed to lay down policy of purchase of grains by District Committees. The District Grain Purchase Committees are meant to control the purchase of grains and arrange for the purchases according to the policy decided by the Central Grain Purchase Committee.

#### 7. *Jail Industries Advisory Board*

This Board was constituted by Government in 1958. The official and non-official members are appointed by Government. The Board has been constituted to watch the progress of the implementation of the recommendations of the Jail Industries Inquiry Committee and also to suggest such improvements in jail industries as might be necessary from time to time.

#### 8. *Boards of Home Leave*

These Boards have been constituted as follows:—

##### (A) *Sampurnanand Camps*

- (1) Superintendent of the Camp.
- (2) Medical Officer, or Assistant Medical Officer of the Camp if the Superintendent is himself also the Medical Officer.
- (3) The District Magistrate of the district in which the Camp is situated, who will be the Chairman of the Board.

##### (B) *Model Prison, Lucknow*

- (1) The Superintendent of the Model Prison, Lucknow.
- (2) The Chairman, U.P. Apradh Nirodhak Samiti.
- (3) The District Magistrate or an Additional District Magistrate nominated by the former, who will be the Chairman of the Board.

The Board considers all applications for grant of home leave submitted by the prisoners and makes necessary recommendations to the Inspector-General of Prisons, U.P. The Board meets as often as considered necessary by the Superintendent of Camps and Model Prison, Lucknow, but not more than once in a month.

#### 9. *Board of U.P. Prisoners' Release on Ticket of Leave Rules, 1950*

This Board was constituted in 1960. It consists of the Home Secretary to the Government of U.P., the Inspector-General of Prisons and a non-official member nominated by State Government annually. The Home Secretary or in his absence the Inspector-General of Prisons is the Chairman of the Board. The prisoners

who are eligible for release under these rules apply to the Board which makes necessary recommendations. The recommendations are recorded on the applications of prisons by the members and submitted to Government by the Inspector-General of Prisons for their orders. Meetings of the Board are held every quarter.

6.2.15. The functioning of the Jail Department is controlled by the Inspector-General of Prisons and Superintendents are posted in all the institutions of the Department for looking after them. To a large extent the Superintendents are free to take decisions to the extent empowered by the rules, except where a question of policy or any matter requiring higher orders is involved, which are referred to the Inspector-General of Prisons or by latter to the State Government. The State Government also consults the Government of India in certain matters. In the Seventh Schedule to the Constitution of India, Prisons, Reformatories, etc., figure in list II—State List. Administration of jails is thus entirely the concern of the State Government. The Government of India are, however, consulted in cases of premature release, etc., of such prisoners who are convicted of offences in respect of which the Union Government alone can grant remission in sentences of a prisoner. As for instance, in regard to premature release of prisoners convicted of offences under the Indian Arms Act, Indian Railways Act, etc., concurrence of the Government of India is invariably obtained.

6.2.16. Powers of appointing authority, in respect of gazetted staff except Jailors, rest with the Government. The I.G. of Prisons exercises these powers in respect of the subordinate staff attached to jails and other institutions and other staff posted at the headquarters. He has powers to transfer any subordinate Jail officer and grant leave to gazetted and non-gazetted government servants of the Department. The Superintendents of Central Jails are the appointing authority for Head Warders, Warders and class IV government servants attached to the Jails. The appointing authority for Assistant Medical Officers attached to jails is the Director of Medical and Health Services, U.P. These officers come to this Department on deputation for a prescribed period.

6.2.17. Apart from the officers of the jails, the public also has an opportunity to advise in jail administration. Non-official visitors to jails in the districts are appointed by Government from time to time. A non-official visitor can inspect any document, other than those of a confidential nature, which are connected with the administration of any department of the prison. He may visit any ward, yard or cell and see every prisoner in confinement and can ascertain if the rules and orders are being properly obeyed. A non-official visitor can write his Inspection Note on the Visitor's Book.

6.2.18. Proper arrangements are made for the supply of clothing, food, etc., for prisoners. Facilities for sports, education, vocational training, gardening and agriculture, etc., are provided in jails and rules regulating every aspect of prison life are prescribed. The Superintendent is the local head of jail administration and he is re-



quired to manage the prison in all matters relating to discipline, labour, expenditure, punishment and control. It is believed that the multi-sided features of the present day jail administration such as general education, vocational training, payment of wages, sports and games and other healthy recreations, religious and moral instructions for which arrangements exist, would create in the prisoners a will to lead a useful and law-abiding life.

**Acts, Rules, Regulations, Manuals pertaining to Jail Department.**

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual etc.</i>	<i>Authority under which framed or enacted.</i>	<i>Year</i>
1.	The Prisons Act.	Government of India	1894
2.	The Prisoners Act.	Government of India	1900
3.	(i) The Reformatory Schools Act.	Government of India	1897
	(ii) Rules of the Reformatory School, Lucknow.	Government of U.P.	1897 1943
4.	The Transfer of Prisoners Act.	Government of India	1950
5.	(i) The U.P. Prisoners' Release on Probation Act.	Government of U.P.	1938
	(ii) The U.P. Prisoners' Release on Probation Rules.	Government of U.P.	1939
6.	(i) The Prisoners (Attendance in Courts) Act	Government of India	1955
	(ii) The U.P. Prisoners (Attendance in Courts) Rules.	Government of U.P.	1956
7.	The U.P. Borstal Act (not yet enforced).	Government of U.P.	1938
8.	The U.P. Prisoners Release on Ticket of Leave Rules.	Government of U.P. (u/s 401 of the Cr. P.C.)	1950
9.	The Jail Manual, U.P.	Government of U.P.	—
10.	Instructions and Suggestions for the guidance of non-official visitors to Jails.	Government of U.P.	—
11.	The U. P. Security Prisoners Rules	Government of U.P. (u/s 4 of the Preventive Detention Act).	1950

**Annual Administrative Report**

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Report on the Prison Administration of Uttar Pradesh.	January-December.	1845	Inspector General of Prisons.

### 6.3. HOME (GENERAL) DEPARTMENT

6.3.1. The Department mainly deals with the following:—

- (1) Laws relating to Criminal matters.
- (2) Institution of Honorary Magistrates.
- (3) Grant of political pensions to the fighters of freedom.
- (4) Scheme for the prevention of ticketless travel.
- (5) Organization of the Chemical Examiner to the Government.
- (6) Forensic Science Laboratory.

#### *Laws Relating to Criminal Matters*

6.3.2. The Indian Penal Code, which was enacted in 1860 by the Central Legislative authority, Government of India, defines the nature of offences and punishments therefor; and the Criminal Procedure Code which was enacted in 1898, lays down the procedure to be adopted by Criminal Courts during trial. Both the Codes are in the concurrent list of subjects in the VIIIth Schedule of the Constitution and, therefore, the State Legislature as well are entitled to make amendments in them. Instructions issued by the State Government in respect of day-to-day working of the Code of Criminal Procedure are included in the Hand Book for Criminal and Revenue Courts. The High Court of Judicature has also a Manual, viz., General Rules (Criminal) which contains executive instructions supplementing the provisions of the Code. Directions contained in these manuals are a guide and in no way affect the judicial discretion of a Court. Section 12 of the Code of Criminal Procedure provides for appointment by State Government of Magistrates of first, second or third class in a district, besides the District Magistrate, for maintenance of law and order depending upon their status, experience and proficiency in Criminal Law and Procedure. Besides the regular Public Prosecutors appointed for conducting criminal cases in courts, Government also appoint special Public Prosecutors under Section 492 of the Code of Criminal Procedure for any particular or special case.

#### *Honorary Magistrates*

6.3.3. The institution of Honorary Magistrates had been in existence since the year 1872. The system of administration of Criminal Justice by these magistrates was under heavy fire in 1937 in the Legislature. The institution had practically ceased to function but Government decided soon afterwards to let it continue. Definite rules for selection, appointment, training and removal of Honorary Magistrates were framed. The Second World War, its after effects and the partition of the country, had, however, put the cadre of stipendiary magistrates under serious strain, as most of them had been diverted to abnormal works such as Civil Supplies, rationing and rehabilitation of displaced persons, and these factors necessitated

all the more the continuance of this institution. These courts were quite often found of considerable help in reducing the volume of criminal cases. Important police cases were as a rule not sent by district authorities to these courts and they mainly dealt with complaints filed by private parties. There were about 330 Honorary Magistrates with 203 courts, of which 72 were of Bench Magistrates and the remaining 131 of Special Magistrates who tried cases sitting alone. There were also 34 Honorary Life Magistrates who were appointed as such, as a mark of honour, but they did not try cases. The institution had, however, its own failings and there were numerous misgivings about it. The Government, therefore, decided in April, 1967, to disband this institution altogether.

### *Political Pension*

6.3.4. The scheme for granting monetary help in the shape of pensions or lump sum grants to those fighters for freedom who were disabled or had devoted the best part of their life in the national service and struggle for independence and have now become old and infirm, and also to the widows and minors of such fighters of freedom, was introduced by the State Government in 1947. Persons who have attained the age of fifty years and had courted imprisonment twice in connection with the freedom movement or those who had been to jail even once for a period of five years and whose financial condition is far from satisfactory and family liabilities are heavy, are considered eligible for grant of life pensions ranging between Rs. 20 and Rs. 75 per month.

### *Scheme for the Prevention of Ticketless Travel*

6.3.5. The Government of India in 1948 had introduced a scheme for the prevention of ticketless travel on railways as an experimental measure. At their instance, the administration of the scheme was entrusted to the State Government. The entire cost of the scheme was originally met by the Government of India but as this Government also derived benefit from it in the shape of increased revenue from the fines realized from persons found travelling without tickets, this Government agreed to meet with effect from July 1, 1950 half the cost incurred on the magistrates (who are 24 in number) and their staff—the Government of India meeting the rest. For proper supervision over judicial work, the Railway Magistrates are under the control of the District Magistrates of their headquarters but for purposes of operational control, they work under the Divisional Superintendents of Railways concerned. The police force employed in connection with the scheme is attached to the G.R.P. and works under the control and supervision of its officers.

### *Chemical Examiner to Government*

6.3.6. With a view to applying science to render aid to both criminal justice and general administration, the post of a Chemical Examiner to Governments of North Western Provinces, Oudh and

the Central Provinces of India was created in the year 1864 with headquarters at Roorkee. The local Civil Surgeon looked after the work in addition to his own duties. The Civil Surgeon, Roorkee continued to hold charge of both offices till 1892, when due to increase in work they were separated and the headquarters of the office of the Chemical Examiner was shifted, along with his Laboratory, to Agra. The work of the State Excise Department, which was being performed by the Chemical Examiner for Customs and Excise, Calcutta was transferred to it in 1929. Examination of explosives and articles under the Indian Explosives Act, 1884, the Petroleum Act, 1934, and the various rules framed thereunder, arising from U.P. was also carried out in this Department, but this work was taken away and placed under the Inspector of Explosives, Northern Circle, Government of India, Agra in 1948. The Chemical Examiner works for the Madhya Pradesh Government also who reimburse the cost of analysis done for them on a proportionate basis.

6.3.7. The Chemical Examiner's Department was originally created for examination of articles of human and cattle poisoning in medico-legal cases arising from the North Western Provinces, Oudh and the Central Provinces of India. The scope of work progressively increased and included examination of blood and seminal stains and other miscellaneous articles. In 1892 the scope of work further increased and included bacteriological examinations of water and food materials to determine their suitability for edible purposes.

6.3.8. The Director of Medical and Health Services, Uttar Pradesh, acts as the Head of the Department in respect of the Chemical Examiner's Organization.<sup>6</sup> The Laboratory of the Chemical Examiner consists of three sections, viz., (i) Stains Section, (ii) Poison Section and (iii) Excise and Miscellaneous Section, each under the charge of An Assistant to the Chemical Examiner. They are assisted by seven Chemical Assistants, and other staff. The nature of investigations conducted by the Chemical Examiner is as follows:

<i>Stains Section:</i>	Articles of murder by assault, rape and unnatural offence, cases which require examination of blood and seminal stains, hair of human and animal origin, fibres, comparison of earths, gun-shot marks, etc.
<i>Poison Section:</i>	Articles of human and animal poisoning, cases which require examination of viscera, poisons, insecticides, fungicides, vermin killers, medicines, etc.
<i>Excise and Misc. Section:</i>	Articles of Excise cases requiring examination of licit and illicit liquors, opium, madak, chandu, inchi, cocaine, ganja, bhang, charas, alcoholic medicines, etc. Samples of rectified

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6. Budget provision for the Organization is included in that for Medical Department.

spirit, absolute alcohol and country spirits produced in all the distilleries of U.P. are analysed and are permitted to be used only when they conform to their respective specifications.

Examination of metals, ores, earths, counterfeit coins, spurious preparations, petroleum and its products, paints, explosives, etc.

The Chemical Examiner refers all such exhibits in which he detects blood stains to the Serologist and Chemical Examiner to the Government of India, Calcutta for further examination and report.

#### *Forensic Science Laboratory*

6.3.9. With a view to improving the standard of investigation of crime, the State Government have, on the advice of the Government of India, set up a Forensic Science Laboratory at Lucknow, to help investigation of criminal cases in which direct evidence is not forthcoming but where the silent evidence left behind by culprits can be worked out scientifically to give convincing clues and evidence to help the police in investigation. A beginning for the establishment of the Laboratory was made towards 1957. An officer of the Indian Police Service, trained in Forensic Science, was appointed as its first Director. The Laboratory comprises of, Biological, Chemical, Physical, Questioned Documents, Photographic and Ballistic Sections.

6.3.10. The Department which is under the overall charge of Home Secretary is looked after by a Deputy Secretary, an Under Secretary who also work for Home (Police) Department and a Superintendent.

6.3.11. The Department also deals with lotteries and cross word puzzles which are governed by section 294A of I.P.C. and Prize Competition Act, 1955 respectively, obscene publications governed by section 292 of the I.P.C., scrutiny of strictures in judgments passed by Courts in criminal cases, criminal writs and Supreme Court appeals, criminal lunatics, jurisdiction of criminal courts and extradition of fugitive offenders which is governed by the Indian Extradition Act, 1903 and the Treaty of Extradition which the Government of India have entered into with the Government of Nepal; and prevention of cruelty to animals.

#### **List of Acts, Rules, Regulations, Manuals etc., pertaining to Home (General) Department**

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual etc.</i>	<i>Authority under which enacted or framed</i>	<i>Year</i>
1.	The Indian Penal Code	Government of India.	1860
2.	The Code of Criminal Procedure	Government of India	1898
3.	(i) The Stage Carriages Act	Government of India	1861
	(ii) The Stage Carriage Rules	Sec 20A of the Act (State Government)	

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual, etc.</i>	<i>Authority under which enacted or framed</i>	<i>Year</i>
4.	The Public Gambling Act	Government of India	1867
5.	The Cattle Trespass Act	Government of India	1871
6.	(i) The Indian Railways Act	Government of India	1890
	(ii) The Railway Accident Rules	Section 84 of the Act (Government of India)	1930
	(iii) The Railway Accident (Compensation) Rules	Section 82 of the Act (Government of India)	1950
7.	The Indian Extradition Act	Government of India	1903
8.	The Treaty of Extradition	Government of India	1953
9.	(i) The Destruction of Records Act	Government of India	1917
	(ii) The U. P. Destruction of Records (Serologist) Rules.	Under Section 3 of the Act (State Government).	1960
10.	(i) The Poisons Act	Government of India	1919
	(ii) The Poisons Rules	Under Section 2 of the Act (State Government).	1921
11.	The Contempt of Courts Act	Government of India	1926
12.	The Prize Competitions Act	Government of India	1955
13.	The Young Persons (Harmful Publication) Act.	Government of India	1956
14.	(i) The Prevention of Cruelty to Animals Act	Government of India	1890
	(ii) The Prevention of Cruelty to Animals Act.	Government of India	1960
	(iii) The Prevention of Cruelty to Animals Rules.	Section 15(2) of the Act (State Government)	1942
15.	Handbook for Revenue and Criminal Courts	State Government	1954
16.	General Rules (Criminal)	State Government	1957

#### Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Annual Report of Chemical Examiner to Government U.P.	January-December	1893	Chemical Examiner to Government



## Departments Imposing & Collecting Levies & Taxes

### 7.1. REVENUE DEPARTMENT

7.1.1. The history of the Revenue Department follows closely the growth of British rule in the State. The first concern of the foreign rulers was the collection of land revenue as the main source of income and for this purpose, it was essential to maintain records of land. These records served later on to provide agricultural statistics to the Government for the purpose of keeping watch on the economic conditions of the agricultural classes. The East India Company took control of Banaras Division in 1775. Its revenue administration was supervised by a Board of Revenue which had first been established at Murshidabad and then shifted to Fort William at Calcutta. Though the Governor-General in Council exercised the same general control over revenue as over other branches of the executive, the Board was the principal authority for revenue administration. Collection of revenue was entrusted to Supervisors, later called Collectors, but the Board of Revenue was to see that it was done within the stipulated period. It was also to see that officers under its authority performed their duties regularly, intelligently and assiduously. It also constituted a channel between the Governor-General and the authorities at the lower level. In 1801, the Nawab Wazir of Avadh ceded to the Company a large portion of the territory which constitutes most of the present State of U.P. Each subsequent acquisition of territory increased considerably the work of the Board of Revenue at Fort William and, therefore, a special Board of Commissioners for the ceded and conquered provinces was set up in 1807 and under Regulation X of the same year, it was invested with all the duties, powers and authority of superintendence of settlement of land revenue and general control on Collectors, as were exercised until then by the Board of Revenue. The main duty of the Board was to undertake the settlement of land revenue, which in terms of the administrative approach of those times, was to be a permanent settlement. It was for this reason that these Boards were appointed for fixed periods. It was, however, found that it was not the opportune time for permanent settlement, the revenue administration was unsatisfactory and the tenures too complicated. The Board was, therefore, made permanent

under Regulation I of 1809. The Banaras Division, which was from 1775 to 1809 under the control of the Board at Fort William, was also placed under this Board, which under Regulation III of 1822, was designated as the Board of Revenue for Western Provinces. From 1816 to 1829 the areas under Varanasi, Gorakhpur, Allahabad and Bundeikhand Divisions remained under a similar Board of Commissioners for Bihar and Banaras, later known in 1822 as the Board of Revenue for Central Provinces, when under Regulation I of 1829, these Boards of Revenue of the two provinces were abolished and Commissioners of Revenue and Circuit were appointed instead, who were under the control of the Board of Revenue at Fort William, Calcutta. This arrangement could not last for long. In 1830, a division of the Board at Fort William, then known as Sadar Board of Revenue was on tour in the area under this State and it was then discovered by it that it was necessary to place the area under a separate revenue administration. By Regulation X of 1831, the deputation from the Sadar Board became an independent body stationed at Allahabad and was called the Board of Revenue for these Provinces with the powers of the Sadar Board. The twelve districts of Avadh were added to its jurisdiction in 1890. The maintenance of proper land records was looked after by a Director of Land Records and Agriculture.<sup>1</sup>

7.1.2. Prior to 1921, the Board of Revenue, in addition to being the final rent and revenue court of the State, was vested with important statutory powers of an executive nature in regard to land revenue administration and the court of wards for the management of estates of minors and others incompetent to manage them, and was also in charge of such revenue producing departments as income-tax, opium,<sup>2</sup> stamps and excise. It held a peculiar position of semi-independence of the Government. The question of change in the functions and status of Board came up before the Decentralisation Commission in 1907 when it was suggested that the Board might be converted into a Council of the Lt. Governor. The transfer of the executive functions of the Board to the Government was first considered in 1916, in connection with a proposal to give the Lieutenant Governor an executive council. In 1920 the Government of India had also asked the State Government to reconsider the matter in connection with the approaching constitutional changes, and Sir Harcourt Butler recommended that Government should take over all the executive functions of the Board. The Government of India were opposed to action being taken until the reformed legislative council had an opportunity of expressing its views. The Council had that opportunity in February, 1921, and one of its first resolutions recommended the abolition of the Board of Revenue. The Governor, Sir Harcourt Butler, thereupon again addressed the Government of India with the result that the Secretary of State agreed to the transfer of all the Board's executive functions to the Government other

1. The Department of Agriculture was completely severed from that of Land Records in 1920.

2. The Devolution Rules framed under the Government of India Act, 1919 made Income-tax and Opium as Central subjects.

than those exercised under the U.P. Court of Wards Act. The necessary legislation was passed in the shape of the Board of Revenue Act, 1922. The Board continued to control the settlement of land revenue, revenue buildings, Stamps and Court Fees Act and the administration of all but a few government estates. Their functions in connection with all other branches of land revenue administration, including control of the subordinate revenue services, were transferred to the Government. The Revenue Department of the Government thus became much larger and more important since 1921.<sup>3</sup>

7.1.3. It was, however, soon realized by Government that it would have made for the more efficient disposal of technical matters relating to the Revenue Administration of the State if the powers withdrawn from the Board had remained vested in them. Once that legislative measures were adopted to divest the Board of these powers, Government however contented themselves only with the re-transfer of such of the items to the Board as did not involve amendment of the statute.

7.1.4. An Inspectorate of Stamps was created in 1928 and placed under the Board of Revenue. In 1931, a move was made to re-invest the Board with administrative powers, one of the considerations being that with the introduction of provincial autonomy the new ministry may not have men of revenue experience and they would have in the Board a fully empowered expert body to deal with revenue questions. In 1932, therefore, matters concerning survey and settlement, assignment of land revenue, boundaries, land records, malikana and muafis, partition and establishment of tahsildars and naib-tahsildars were transferred to the Board. In the same year the Board was also declared as the Director of Land Records. Subsequently, collection of canal dues, divisional and district establishment and agricultural loans were also transferred. In 1934 work relating to Court of Wards was withdrawn from the Board on the passing of the Court of Wards Act and was placed under the President, Court of Wards, U.P. but administration of government estates was entrusted to the Board.

7.1.5. In 1947, a clear distinction was made between the administrative and judicial functions of the Board, and while one member was designated as the administrative member, the remaining were made judicial members. The Administrative Member had no judicial work and had his headquarters at Lucknow while the Judicial Members had no administrative work and maintained their headquarters at Allahabad. In 1948 work relating to Agricultural Income Tax which was later substituted in 1957 by Large Land Holdings Tax, its assessment and collection was also entrusted to the Board.

7.1.6. A measure preliminary to the introduction of Zamindari Abolition and Land Reforms was initiated in 1949 under the provi-

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3. Report on the Working of the System of Government, United Provinces of Agra and Oudh, 1921-28: pp. 75-76.

sions of the Agricultural Tenants Acquisition of Privileges Act. Under the Act a tenure holder could secure permanent and transferable rights in his land by depositing ten times his rent and was also entitled to his rent being halved for future. To carry out this work, a Land Reforms Commissioner was appointed in 1949, and in 1951, to him were transferred almost all the administrative functions of the Board. Work relating to land revenue, canal and local rates, taqavi loans, land records, land acquisition, tahsildars and naib tahsildars, Government estates, agricultural income tax, buildings, partition, survey and settlement was transferred to the Land Reforms Commissioner and the Board were left only with work relating to stamps (general and judicial) and district and divisional staff, besides being the highest court for rent and revenue cases. The Land Reforms Commissioner was also entrusted with the work relating to assessment and payment of compensation to zamindars, land management after abolition of zamindari and assessment and collection of land revenue direct from tenure holders. Consequent upon the abolition of zamindari, there was no place left for the Court of Wards and the organization stopped functioning from March, 1954. The same year compulsory consolidation of holdings was introduced and a Director of Consolidation, who dealt directly with Government, was appointed. In 1957, however, the old order was restored and the office of Land Reforms Commissioner was merged into that of the Board, all his functions were re-transferred to the Board, and the Board was also entrusted with the following work in an attempt to revive their authority as before the Act of 1922:

1. Excise Duty.
2. Sugar cane cess and tax on motor spirits.
3. Motor Vehicles Registration Tax.
4. Sales Tax.
5. Entertainment and Betting Tax.
6. Consolidation of Holdings.
7. Transfers and postings of Deputy Collectors and Judicial Officers.

In this way the Excise Commissioner, Cane Commissioner, Transport Commissioner, Sales Tax Commissioner and Entertainment Tax Commissioner and Director of Consolidation were made subordinate to the Board of Revenue. This arrangement did not work satisfactorily and in subsequent years all this work was withdrawn and the *status quo ante* restored. The work relating to the administration of the Uttar Pradesh (Nagar Kshetra) Bhoomi tatha Bhavan Kar Adhinyam, 1962 [U.P. (Urban Area) Land and Buildings Tax Act] was also entrusted to the Board subsequently.\* The Adhinyam was, however, proposed to be repealed subsequently and pending its repeal the tax was abolished with effect from April 1, 1967.

4. In the Secretariat, this work was looked after in the Municipal (C) Department.

7.1.7. At the Secretariat level, the Revenue Department is one of the oldest departments of the Government. The subject was formerly distributed in two main Branches, viz., 'Revenue proper relating to land revenue and 'Separate Revenue' relating to assessed taxes, such as income tax, licence taxes, excise and stamps. Forest was added to Separate Revenue in 1862 and Oudh Revenue Department was created in 1871. By the reorganization of the Secretariat during 1883-84, Revenue (including Scarcity) was placed under the Chief Secretary and Separate Revenue under Finance Secretary. With the introduction of 'Reforms' in January, 1921, a further reorganization of the Secretariat became necessary when the Revenue Department was placed under a separate Revenue Secretary who also had under him Medical, Public Health and Local Self Government Departments. The nomenclature of 'Separate Revenue' was dispensed with and the subjects included in it continued under the Finance Secretary except that the Forests Department was placed under Industries Secretary, but it was soon afterwards, in April, 1923 placed again under Revenue Secretary. At the same time Medical, Public Health and L.S.G. Departments were taken away from his charge, but he was made in-charge of Judicial and Legislative Departments. In 1928, Judicial and Legislative Departments too were separated from him and from then onwards Revenue Secretary continued as in charge of Revenue, Scarcity and Forests Departments except that the Forests Department was transferred to Public Works Department in 1938, it came back to the control of the Revenue Department in 1946 and was separated finally in 1954 and placed under a separate Secretary to Government. In the same year Colonization work was added to Revenue Department.

7.1.8. The portfolio of Revenue is held by the Minister for Revenue. The Secretariat staff consists of:

Secretary	.. 1
Deputy Secretaries	.. 2
Under Secretary	.. 1
Assistant Secretary	.. 1
Officer on Special Duty	.. 3
Superintendents	.. 7

7.1.9. The matters dealt with in various Sections of the Department in the Secretariat are:

- (1) *Revenue (A) Department.* Zamindari Abolition and Land Reforms Legislation, other revenue and tenancy laws. Land Acquisition Act, Appellate and revisional work of the Board of Revenue, Commissioners and Additional Commissioners, Revenue case work of subordinate revenue courts, Imposition of ceiling on land holdings, Land Management Committees, Revenue Court Manual, resumption of Gaon Sabha land for public purposes, State



Soldiers' Sailors' and Airmen's Board, Revenue Administration Report and Season and Crop Report.

- (2) *Revenue (B) Department.* Establishment and budget of Divisional and District Offices, Revenue Manual, Vehicles for Divisional and District Offices and Establishment of Revenue and Scarcity Departments.
- (3) *Revenue (C) Department.* Colonization Schemes, Government Estates, District Gazetteers, Government Grants Act, Large Land Holdings Tax, Agricultural Debt Legislation, Supply of restricted maps, Boundaries between States, Stone Mahals, Mutation and Partition.
- (4) *Revenue (D) Department.* Collection of land revenue, Bhumidhari rights, payment of compensation under the various zamindari abolition laws, local rates and cesses and Establishment of the Board of Revenue.
- (5) *Revenue (E) Department.* Consolidation of Holdings; Survey, Settlement and Record Operations, Bhoodan and Gramdan.
- (6) *Revenue (F) Department.* Land Records, Lekhpals, Tahsildars, Naib-Tahsildars and Peshkars; Revenue Buildings, and touring by Sub-Divisional Officers.
- (7) *Scarcity Department.*<sup>5</sup> Relief on account of natural calamities, rainfall statistics, grant of loans for agricultural purposes (taqavi) and Famine Code.

7.1.10. In short, the Revenue Department is concerned with the following matters:

1. The Board of Revenue.
2. Assessment and collection of land revenue.
3. Maintenance of Land Records.
4. Survey, Settlement and Record Operations.
5. Abolition of Zamindari and ceilings on land holdings.
6. Consolidation of Holdings, Commissioner and Director for Consolidation.
7. Revenue Judiciary.
8. Legislation connected with agricultural debts.
9. Relief on account of natural calamities.
10. Loans for agricultural development (Taqavi).
11. Large Land Holdings Tax.
12. Colonization.

5. 'Scarcity' till 1956 formed part of Revenue (B) Department when, because of increase in work due to a great change in the approach of administration towards relief on account of natural calamities, it was made a separate unit.



13. Crop and Season Reports and Rainfall Statistics.
14. District Gazetteers and their revision.
15. Acquisition of Land.
16. Subordinate Revenue Service.
17. Administration of Government Estates.
18. Administration of Government Grants Act.
19. Bhoodan and Gramdan.
20. Administration of the State Soldiers', Sailors' and Airmen's Board.

Details about each of these matters are given below:

### 1. THE BOARD OF REVENUE

The historical development and functions of the Board of Revenue have been mentioned already. The Board is a group of Members who divide among themselves the subjects to be dealt with by them and also the territorial jurisdictions, but as a joint body, they have collective responsibility. In 1947-48, an important change took place in the functioning of the Board in that their judicial functions were separated from the administrative functions and some Members were entrusted only with the judicial work, and they came to be known as Judicial Members. Only one Member was left to deal with the executive work and he came to be known as the Administrative Member. In 1951, the executive functions were again re-organized and the Administrative Member was required to supervise the work of the Judicial Members, Commissioners of Divisions and District Offices, to make inspections and record annual remarks on the work of all the officers subordinate to him including Commissioners, District Officers, Deputy Collectors, Judicial Officers and Railway Magistrates. The number of Members on the administrative side had, therefore, to be increased gradually. The Board forms a link between the Government and the regional and district administration. It advises the Government in all matters of revenue policy and supplies material required for bringing about new legislation and making changes in the old laws connected with revenue administration. The Members on the administrative side also do some judicial work to keep in touch with the judicial work of subordinate revenue courts. They also dispose of the revision applications under the Motor Vehicles Act. The Board is the Chief Controlling Authority under the Indian Stamp Act and the Court Fees Act. It is also the appellate Tribunal for the Large Land Holdings Tax. The headquarters of the Board of Revenue remained at Allahabad till 1947, when all sections, except those dealing with judicial work and the Stamps and Court Fee Acts, were shifted to Lucknow. The designation of the Administrative Member was changed with effect from November 30, 1964 to Chairman, Board of Revenue, but subsequently, with effect from March 25, 1967, the Chairman and the Members of the Board on the administrative side, were designated as Member

(Administration), Member (Taxation) and Member (Land Reforms). Member (Administration) was, however, again designated as Chairman from July 16, 1968. Besides these Members, the Board consists of a few Judicial Members at Allahabad<sup>6</sup> who are exclusively engaged in judicial work. The other officers at the headquarters at Lucknow consist of a Secretary, two Deputy Land Reforms Commissioners, one Deputy Secretary, five Assistant Directors of Land Records who are also *ex-officio* Assistant Land Reforms Commissioners, one Assistant Secretary, one Deputy Land Reforms Commissioner (Accounts) with two Accounts Officers, and four Officers on Special Duty. There is a Junior Secretary, Board of Revenue at Allahabad who is also Inspector-General of Registration and Chief Inspector of Stamps. A Registrar of the Board at Allahabad assists the Judicial Members in dealing with case work.

The Board's office at Lucknow consists of twelve Sections and that at Allahabad of two Sections. The following is the distribution of work:

### *Lucknow Office*

<i>Name of Section</i>	<i>Subjects</i>
I.	<i>Board's own establishment.</i> Appointment, promotion, transfer, leave, pension of ministerial and class IV staff at the Lucknow and Allahabad offices, leave to gazetted officers, stores, library and <i>nazarat</i> .
II.	Taqavi, Relief and Collection of Land Revenue and other Government dues; Staff for Collection. Budget for Taqavi and Collection; Sale proposals in Zamindari abolition areas, distribution of Zamindari Abolition Fund, Leakage of land revenue, embezzlement cases and Land and Building Tax.
III.	Maintenance of character rolls of Deputy Collectors, Judicial Officers and Special Railway Magistrates, Annual remarks to the officers working in the districts and divisions, Representation against adverse remarks. Appointment, promotions, transfers, appeals and representation of Tahsildars and Naib-Tahsildars. Allotments of funds for maintenance and repairs of Revenue buildings, Construction of new buildings, budget, determination of building rents of private buildings, etc.
IV.	Supervisor Kanungos, Registrar Kanungos, Assistant Registrar Kanungos, Land Records Clerk, and Lekhpals, etc.; Land Records Manual, Supply of Land Records Forms and Survey Instruments, Land Records Budget, etc.
V.	Zamindari Abolition Compensation and Fund, Acquisition of bhumidhari rights, Payment of Compensation to ex-

6. On January 1, 1967, there were, besides the Members at Lucknow, three Judicial Members at Allahabad.

intermediaries and to land holders and adhvavis; Determination and payment of rehabilitation grants to ex-intermediaries; Establishment of Gaon Samaj and ceiling on agricultural lands.

- VI. Assessment and collection of taxes, Large Land Holdings Tax, Revision and appeals, Monthly progress report, etc.
- VII. Land Utilization Statements, Kharif Jinswar, Rabi Jinswar, Zaid Jinswar, Area statements and statements of rental holdings for crop forecasts and Season and Crop Reports, Crop cutting experiments, Rainfall statistics.
- VIII. Colonization Scheme in Naini Tal and Bijnor and Colonization staff.
- IX. Survey, Settlements and Record Operations in Kumaun Division and other districts in planes and demarcation of agricultural areas in urban areas.
- X. Land acquisition and checking of awards, adjustments of accounts, appointments of Special Land Acquisition Officers.
- XI. Matters connected with Government Estates and Stone Mahal.
- XII. District and Divisional Establishments, revisions, representations and appeals of officials of the Districts and Divisions, Budget, Appellate and Revision work of Commissioners and Additional Commissioners.

#### *Allahabad Office*

Judicial      Case work.

Stamps      Matters relating to Stamps and Court Fee Acts.

There are ten divisional offices of Accounts Officers at Agra, Allahabad, Faizabad, Gorakhpur, Bareilly, Naini Tal, Jhansi, Meerut, Lucknow and Varanasi and an office of the Assistant Compensation Commissioner, U.P., at Lucknow under the Board. A Kanoongo Training School also functions under a Principal at Hardoi.

## 2. ASSESSMENT AND COLLECTION OF GOVERNMENT DUES

Before the abolition of Zamindari, the chief government dues to be collected were land revenue from zamindars, irrigation dues from occupiers of land and instalments of taqavi loans granted for agricultural purposes. The usual procedure was that the zamindars who knew their land revenue instalments, deposited the dues in a Government treasury by themselves. If a zamindar failed to pay the revenue on his own, various coercive processes including service of notices, attachment of property or arrest of his person under the U.P. Land Revenue Act, 1901 were adopted. For executing these processes one or two *kurk-amins* were provided in each tahsil. They also executed

the decrees of revenue courts. For the collection of irrigation dues and taqavi instalments, a separate temporary establishment was appointed for short periods in each season. This consisted of Collection Amins and some peons. If the number was large some temporary Collection Naib-Tahsildars were also appointed to check the work of the Amins. With the abolition of intermediaries, the State has now to make collection directly, from tenure holders whose number is very large and the demand to be collected from them is very much higher than the previous land revenue collected from zamindars. Again, with the great development in irrigation facilities the irrigation demand has become much higher than the demand before independence. The amount of Taqavi loan has also become large as comprehensive assistance is being provided to the cultivator under various schemes. This has further increased the amount of arrears which have to be collected by adopting coercive processes. Therefore, in order to deal with the collection of these different dues, an integrated collection scheme has been formulated.

Under the new set up, each tahsil has been provided with a staff of Collection Amins who are no longer seasonal employees and the number of Naib Tahsildars has been increased so that they may check collection work on the spot and ensure smooth and quick collection of all government dues. Each Amin has to make collection according to a prescribed standard which varies from Rs. 40,000 to Rs. 60,000 yearly according to local conditions. At the district headquarters, a section of the Collectorate is known as Collection Office which controls the work of collection in the entire district. One of the Deputy Collectors at the headquarters is placed in the charge of this office. The Board of Revenue, as head of the Revenue Administration in the State, is in overall charge of this work. Commissioners of the Divisions and District Officers in the districts are responsible for the collections in their areas. Some government dues of other departments, which the latter cannot realize easily in ordinary course, are declared under relevant laws as realizable as arrears of land revenue, when the processes mentioned above are adopted and the dues realized under the Revenue Recovery Act, 1890, through the Collector.

### 3. LAND RECORDS

This State has maintained very detailed records of land and agricultural statistics for the purposes of collection and assessment of land revenue and safeguarding the rights of tenure holders. These records are also used for computation of production of food stuffs. In the early period of British Rule, after the Settlement Officer had prepared a record of rights along with a cadastral map and an index (*khasra*) showing area, possessions and other such details, there was no agency for recording subsequent changes. The result was that at the end of the period of settlement, which was usually twenty years, the records became out of date. This stood in the way of deciding disputes between tenants and caused no end of trouble in preparing a fresh record of rights. The village *patwari* was then an employee of the

zamindar. An attempt was made in 1817 to organise the agency of *patwaris* and to institute supervision by Government but satisfactory arrangement could only be made in 1869. The main factor which was instrumental in the reorganization of this institution was the necessity of collection of data of crops and yields for purposes of forecast and export. Frequent agricultural calamities also made it necessary to maintain crop and area statistics. Far reaching changes of an organizational nature were therefore made. Group of villages were formed into patwari circles and the Patwari was to collect his wages from zamindars in their villages. This did not prove a satisfactory arrangement. A cess of 6 per cent of the revenue was then levied by the Revenue Act of 1873 for the support of the Patwaris. This was abolished by Act XIII of 1882 but re-imposed by Act IX of 1889. In 1877 the system of land records was reorganized and given a shape which continued till the abolition of Zamindari in 1952. The Land Reforms introduced by the U.P. Zamindari Abolition and Land Reforms Act, 1950 simplified the land tenure system and this resulted in certain modifications.

The main object of the maintenance of land records is to keep available up-to-date information about the rights in the land of the persons in possession or otherwise and to collect statistical data in respect of agricultural commodities, irrigation facilities and land revenue. The nature and purpose for which the land is being used is classified as cultivated, uncultivated, culturable and unculturable, forest, groves, fallow, pasture land, etc. The land records now not only provide information for assessment and collection of land revenue but also for planning and development activities. The relevant rules are given in the Land Records Manual which has been framed under section 234 of the U.P. Land Revenue Act, 1901. There are separate rules for the hill districts as incorporated in the Rules and Orders relating to Kumaun Division.

The Headquarters organization consists of a Director of Land Records who is one of the Members of the Board of Revenue. He is assisted by two senior officers one of whom is the Secretary, Board of Revenue and the other is the Deputy Land Reforms Commissioner. There are five Assistant Directors of Land Records, who belong to the State Civil Service. They inspect land records in tahsils and districts. There are also two Kanoongo Inspectors at the headquarters to provide necessary technical assistance.

The District Officer is responsible for the correct maintenance of records of rights. One of the Deputy Collectors at the district headquarters is designated as District Land Records Officer. There is a Sadar Kanoongo, a non-gazetted officer, who gives technical advice on matters relating to land records. He also keeps a watch on the monthly progress of work done by the Supervisor Kanoongos in the Tahsils. The official at the lowest rung in the Land Records system is the *Lekhpal*, previously called *Patwari*, who has a group of villages in his circle and is required to prepare and maintain the various prescribed records. His work is checked by one of the Supervisor Kanoongos of



the Tahsil. The Tahsildar and the Naib-Tahsildars also make periodic inspections of the land records work and verify the entries after making local inspections. The land records section of the Tahsil office is in the charge of a Registrar Kanoongo assisted by two or three Assistant Registrar Kanoongos. This section compiles the statistics for the whole of Tahsil and has a Record Room for consigning the land records of earlier years.

The following records are maintained:

- (1) Map prepared by cadastral survey shows boundaries of the fields. It is generally on the scale of 16"=1 mile.
- (2) *Khasra* (field book). It is a register in which the numbers of all the fields in the village are written serially. This number is the same as the number of the field in the map. The record gives the area of the field, the name of the tenure holder and the sub-tenure holder, if any. The details of the various crops sown in the field are entered against each with the details of irrigation facilities available. The number of trees on the field is also entered.
- (3) *Khatauni* (Record of Rights). It is a list of persons cultivating or otherwise occupying land in a village and is prepared triennially. The names of the tenure holders with parentage and residence are arranged in alphabetical order and grouped tenure-wise. The field numbers held and the land revenue payable by the tenure holder are entered.
- (4) *Khewat*. This is a list of proprietary rights. It has now to be maintained only in respect of areas where the zamindari has not yet been abolished.

The Lekhpal prepares various periodical statements showing statistical data based on the above records and submits them through the Supervisor Kanoongo to the Tahsildar. The Lekhpal renders help to the officials of other departments also. He also acts as Secretary to the Land Management Committee, which is a sub-committee of the Gaon Sabha. He usually resides within his circle.

There is a training school for Supervisor Kanoongos at Rampur as also a number of Lekhpal Training schools in the State. There are more than 18,000 Lekhpals and about 900 Supervisor Kanoongos in the State.

#### 4. SURVEY, RECORD AND SETTLEMENT OPERATIONS

Land Revenue has always been a major source of income of Government. In ancient times rulers paid no attention to the preparation of records of land on which revenue was to be paid or for laying down clear principles for the 'settlement' or assessment of land revenue. The first ruler who paid attention to this was Allahuddin Khilji who got certain records prepared and had the land revenue assessed. Shershah had the whole cultivated land of his kingdom surveyed and assessed for revenue. Akbar made great improvements and Todarmal, who was in-charge of the operations, had land divided into



different soil classes before assessing revenue on each class. Under the British Rule, Lord Cornwallis took up this work seriously in 1793, and tried to make a permanent settlement for the entire territories under the East India Company. He made a start from Bengal but after covering only a small part of the eastern Uttar Pradesh up to Ghazipur, he died. The idea of permanent settlement which suffered from the patent fallacy of assuming a constant and unchangeable monetary value for the currency then in use was then dropped, and it was decided to have regular settlements in rotation at intervals of twenty to thirty years. The U.P. Land Revenue Act came into force in 1901, and settlement operations were carried out in accordance with the rules framed under it, which are contained in the Settlement Manual. Rules were also made for carrying out survey and record operations which precede settlement operations. These rules are contained in the Manual for the Revision of Maps and Records. The land was measured, mapped, and classified according to the nature and fertility of the soil and rent rates were fixed after detailed enquiries. Land Revenue was then assessed taking into account the income from the rent and other sources like grass, ponds, fisheries, etc. An agreement was obtained from the Zamindars to pay land revenue assessed on each village till the next Settlement took place. The State Government reserved to itself mineral rights while making the Settlement and this was mentioned in the agreement obtained from the Zamindars. Before the advent of the British rule the concept was that land revenue was the tax that the cultivator had to pay either directly or through an intermediary who charged a commission for collection and tendering it to the State. But after the British Rule a very clear distinction came to be made between land revenue and rent, as between the Zamindar and the tenant and it is necessary to say a word about this. Except in certain areas in the South, the East India Company made settlement with Zamindars and recognised their proprietary interest in the land; the Zamindars were in turn at liberty to let out the land to tenants on such terms as they liked. The latter was regulated in subsequent years. The Zamindar, therefore, paid land revenue to the Government while the tenant paid rent. On the whole, the land revenue was only about one-third of the total collection, two-third going to the Zamindar.

In the areas where Zamindari has been abolished there is for the present no question of making Settlement of land revenue. The rent which was previously paid by the tenants has now come to be called land revenue and it is subject to revision. Under the U.P. Zamindari Abolition and Land Reforms Act, it has been provided that this land revenue (previously rent) would not be revised for a period of forty years with effect from the date of vesting of the Zamindari rights in the State. However, survey and record operations are undertaken in alluvial areas and also in areas where the existing maps and records are found to be inaccurate. This involves the survey of villages and preparation of fresh record of rights after decision of disputes but without any change in the recorded land revenue. Abolition of Zamindari

could be taken up in Kumaun and Uttarakhand Divisions gradually from July 1, 1965 as complete records for these areas were not in existence earlier. Survey, record and settlement operations were taken up in these Divisions in 1955.

The law enjoins that the State Government should have an up-to-date record of the land. Under Sections 28 and 33 of the U.P. Land Revenue Act, 1901, it is the duty of the District Officer to maintain a map, the index and a record of rights and to keep it up-to-date by recording changes. Whenever it is found that in any area the existing records need a general revision or re-survey it is placed under Survey and Record Operations. The Board of Revenue is the Head of Department for Survey and Record Operations. Hitherto, the Board were assisted in this work by a Settlement Commissioner, U.P., who had his headquarters at Lucknow. As the work of survey, record and settlement operations in the hill districts of Kumaun and Uttarakhand Divisions was completed, the Settlement Organization was abolished with effect from January 1, 1966. At present, regular operations are not being carried out except in certain plain districts and in areas affected by the alluvial and fluvial actions of rivers.

When operations are started in a district, a notification is issued under the Land Revenue Act, placing the area under record operations, and the Collector of the district is appointed as Record Officer. He is provided with a whole-time Assistant Record Officer, who is of the rank of Deputy Collector. Land is first measured by Survey Amins with the help of Chainmen and maps are prepared. Draft records of rights giving particulars of tenure holder and class of soil are made out and checked by Field Inspectors as also by Survey Naib Tahsildars or Survey Experts. The Assistant Record Officer inspects the work and checks these records, which are brought to office and are scrutinised in Hindi Office. Extracts are issued free to all tenure holders and others concerned so that they may know the entries proposed to be made and may file objections where necessary. After necessary scrutiny, checking, hearing of objections regarding rights and attestation on the spot by the Assistant Record Officer and proceedings in his court, the records are finalized and corrected records are fairied out by the staff of Hindi Office. The maps are inked and traced in the Drawing Section and sent to the Government Press for reproduction. The attestation work including the filing and disposal of objections made regarding the entries in the draft records, is dealt with by the Court Section of the Record Office. The old and new records are stocked in the Record Rooms. As soon as the correct and fresh records are prepared, the land revenue is assessed on the basis of soil classification and is finalised after allowing opportunity to the tenure holders to file objections according to law. Appeals in respect of survey, settlement and record operations against the orders of the Assistant Record Officer/Assistant Settlement Officer lie to Record

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7. The post of Settlement Commissioner was, however, revived with effect from January 15, 1968 in order to complete record and survey operations in certain districts.

Officer|Settlement Officer. Appeals against the orders of the Record Officer|Settlement Officer lie to the Commissioners, and if the party is still not satisfied, it lies to the Board of Revenue. The Settlement Reports on completion are published for the information of general public and, thereafter, are placed before the Legislature as required under Section 95-A of the U.P. Land Revenue Act. After the reports are approved, Government issue orders confirming the revenue as assessed during the settlement operations.

## 5. ABOLITION OF ZAMINDARI AND CEILINGS ON LAND HOLDINGS

Under the landlord-tenant system called *Zamindari* inherited by India from the British, ownership of land was concentrated in the hands of a few, while the vast majority who toiled day and night on the land were mere tenants. Landlords performed no economic function. The State Legislative Assembly recorded on August 8, 1946, its acceptance of the principle of the abolition of the Zamindari system by passing a resolution to that effect, and in pursuance of this enunciation of revolutionary agrarian policy, a Committee was appointed, which carefully considered the various aspects of the problem and submitted its report to Government in August, 1948. The U.P. Zamindari Abolition and Land Reforms Bill was introduced in the Legislative Assembly on July 7, 1949. Pending passage of this Bill, another law, viz., the U.P. Agricultural Tenants (Acquisition and Privileges) Act, 1949 was brought on the Statute Book. This Act provided that on payment of ten times of his annual rent to the State Government, a tenant would not be liable to ejection from his holding and would be required to pay in future only half of the rent payable by him. The U.P. Zamindari Abolition and Land Reforms Bill became the law of the land on January 26, 1951, but as certain zamindars challenged the validity of the Act, it could be enforced only from July 1, 1952. It abolished zamindari in most of the areas of the State, and all rights over the land were vested in the State Government. All grants and confirmations of title or land revenue were determined. All *thekas* and usufructuary mortgages of land were terminated and the latter were substituted by simple mortgages. Ex-zamindar continued to hold the land actually under his plough and grove land. Every other person, who cultivated the land was guaranteed possession over his holdings and groves in perpetuity and declared non-ejectable except that non-occupancy tenants of home-farm land of those proprietors who paid a land revenue of not more than Rs. 250 a year and sub-tenants were liable to ejection if their lessor was at the time of letting, suffering from a physical or mental disability, was serving in the Armed Forces of the Union or was confined in a prison. All lands other than those which were in the exclusive possession or enjoyment of individuals as cultivated holdings, groves or wells, were taken over by the State and made over to the village community for management through the Land Management Committee, which is a sub-committee of the *Gaon Sabha*.

After the abolition of Zamindari, tenants who had paid ten times of their rent, were given the status of *Bhumidhars* (owners of land). Multiplicity of tenure was done away with. There are, in effect, now only two main kinds of cultivators, viz., *Bhumidhars* having transferable rights in their lands and other cultivators as *Sirdars* (meaning wielders of the plough) of land under their actual possession, having full rights of using the land but having no rights of transfer. Land surrendered or abandoned by a *Sirdar*, or any land which becomes vacant under the law, is let out or otherwise utilized by *Gaon Panchayat*. Those of them who make a deposit of ten times their rent to the credit of Government are promoted to the status of a *bhumidhar*.

Every ex-intermediary was paid compensation for the loss of his rights as also rehabilitation grants on graduated scales. A fund known as the Zamindari Abolition Fund was created for the purpose with an investment by the Government of a sum of Rs. one crore to which the deposits of ten times of rent, mentioned above, were credited. Zamindari Abolition Compensation Bonds were issued to these ex-intermediaries through the Public Debt Office of the Reserve Bank of India at Lucknow. In order to supervise the collection of Zamindari Abolition Fund and to enforce the provisions of the U.P. Zamindari Abolition and Land Reforms Act, 1950, a Land Reforms Commissioner was appointed, whose functions were later entrusted to the Board of Revenue, as dealt with in detail earlier in this chapter.

Along with the abolition of Zamindari in rural areas, its abolition in respect of agricultural lands in urban areas was also taken up subsequently by the enactment of the U.P. Urban Areas Zamindari Abolition and Land Reforms Act, 1956. Different urban areas are being demarcated gradually under the Act for vesting them in the State. Abolition of Zamindari in Jaunsar Bawar areas is controlled by the Jaunsar-Bawar Zamindari Abolition and Land Reforms Act, 1956.

As mentioned in the previous section, Zamindari could not be abolished earlier in Kumaun and Uttarakhand Divisions as complete land records for these areas were not in existence. Record operations were undertaken, land records completed and a separate Kumaun and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960 was enacted for the purpose. Its abolition in these areas gradually was started from July 1, 1965.

The Zamindari Abolition and Land Reforms Act, 1950, imposed ceiling on future acquisitions only so that fresh Zamindari could not be created again. No ceiling on the existing holding was imposed. The U.P. Imposition of Ceiling on Land Holdings Act, 1960, which was enacted in 1961, provides for imposition of ceilings on the existing holdings also. The provisions of the Act are too numerous to be mentioned here.

#### COMMITTEE TO EXAMINE PROBLEMS OF LANDLESS PERSONS

This Committee was appointed in July 1968, under the Chairmanship of Sri B. D. Sanwal, ICS, to assess the extent and nature of

the problem of landless persons and the availability of vested forest land, Government Estate land, land with *gaon saonas* and such lands as have been declared surplus under the U.P. Imposition of Ceiling on Land Holdings Act, 1960, which can be considered for allotment to landless persons in Naini Tal, Pilibhit, Lakhimpur Kheri, Gonda, Bahraich, Basti and Gorakhpur districts and to suggest the best procedure which can be adopted for allotting such land to the most deserving landless persons in the State; to consider the question of regularization of trespass over Government Estates land in Naini Tal District; to consider whether the prevailing rent rates in the Tarai and Bhabhar areas of Naini Tal District stand in need of any revision; and to suggest adaptations, if any, to be made in the U.P. Zamindari Abolition and Land Reforms Act, 1950, in its application to the Tarai and Bhabhar areas of Naini Tal.

## 6. CONSOLIDATION OF HOLDINGS

Before scientific aid to agriculture can be effective, it is essential that the farmer should have his land in large parcels and not in small scattered patches. Consolidation has long been accepted as an essential agricultural programme but its effective implementation was delayed owing to various difficulties. The existence of intermediaries, multiplicity of tenures and hesitation by foreign rulers to introduce an element of compulsion stood in the way of success in consolidation of holdings. An attempt was made some years ago to start voluntary consolidation through members constituted into a Co-operative Society. In the U.P. Consolidation of Holdings Act, 1939, a slight element of compulsion was however introduced to the extent that in the event of cultivators holding at least 1/3rd area wanting consolidation, the whole of the area was to be placed under these operations. The scheme was tried in a limited manner in small areas of some districts but did not make the desired head-way. It was shelved after the last World War broke out. After Independence and the abolition of Zamindari, the State Government took up this matter again. The intermediaries had disappeared and the tenures had become very simple. The U.P. Consolidation of Holdings Act, 1953, provided for compulsory consolidation in all the villages which may be notified by the State Government in the official gazette. On an average, delivery of possession is planned over 20-25 lakh acres per year and it is expected that the entire 325 lakh acres would be covered by the middle of the Fifth Plan.

Consolidation aims at achieving a thorough correction of land records, re-planning of the village as far as practicable, and then the allotment of compact holdings to individual tenure holders. During the course of time particularly because of the neglect during the period of the last War a large number of mistakes have crept in the revenue records giving rise to many disputes. It is, therefore, essential that the records be brought up-to-date and all disputes regarding rights be decided before the holdings are consolidated. The map is, therefore,



first corrected, if necessary by a complete professional re-survey and a detailed enquiry is made to discover all the mistakes and the disputes. They are decided by the consolidation courts, whose decisions are final. Each field is then valued in terms of exchange ratio, the best field being assumed to have an exchange value of 16 annas. The law further provides that before allotment of land is made to the tenure holders suitable places are reserved for works of utility. New roads are laid out to provide approaches to the holdings, irrigation channels are straightened for improved irrigation and to save land, provision is made for expansion of the inhabited area, manure pits, threshing floors, play-grounds, schools and hospitals, Panchayatghar, community orchards, cremation grounds, and the like. The value of such land is calculated so that there may be a compulsory deduction from each holding on a *pro-rata* basis. The plan of a village so formulated is open to objections which are decided by the consolidation staff. Proposals are then prepared for the allotment of compact rectangular holdings in most of the villages. Rectangles of 25 acres each have already been marked out by special staff appointed for this purpose and these form the basis for the proposals and subsequent demarcation on the ground. Particulars of the scheme so formulated are supplied to each tenure holder whose objections are heard on the spot and decided before actual transfer of possession. When the latter takes place, the tenure holders leave their old scattered holdings and enter into the possession of holdings now allotted to them. Gaon Panchayats take over possession of the land of new road, etc., reserved for common purpose. The consolidation staff performs almost all its functions in the village itself in the presence of the tenure holders who are also consulted individually as frequently as possible and in consultation with a Committee elected by the village panchayats. After the transfer of the possession a new set of record of rights including the new map, the field book and the list of tenure holders showing the new holding and the property vested in the Gaon Sabha is prepared. An effort is made to persuade the tenure holders to avail of the facilities of loans, grants and technical aid, etc. for adopting scientific methods of agriculture by making their own tube-wells, masonry well, purchasing tractors, etc.

The programme is implemented by the Revenue Department which has a separate organization for this work. A Directorate of Consolidation of Holdings has been set up at Lucknow for the execution of the scheme. The initial skeleton staff was provided by the permanent establishment of the revenue department but in course of time their strength came to be reduced and the organization now almost entirely comprises of personnel, the services of whom are temporary, recruited by the Directorate of Consolidation. The services of regular Lekhpals and Supervisor Kanoongos working in tahsils under consolidation are also utilised.

The organization at the headquarters has at its head an officer of the rank of a Divisional Commissioner designated as Commissioner for Consolidation. He is also the Director of Consolidation under the



U.P. Consolidation of Holdings Act. He is the highest executive and judicial authority in the organization. He is assisted at the headquarters by one or two Joint Directors of Consolidation in the senior scale of IAS, a number of Deputy Directors, two Assistant Directors and one Personal Assistant all belonging to the State service. There is a Senior Accounts Officer and two Deputy Assistant Directors who are of the rank of Tahsildar. One of the Joint Directors assists the Consolidation Commissioner generally in the organization and implementation of the programme in all its aspects. The other Joint Director is entrusted with the disposal of judicial work. The Districts under Consolidation are divided into seven regions, each of which is in the charge of one Deputy Director of Consolidation, all of whom have their headquarters at Lucknow. He is responsible for the effective execution of the consolidation programme and he is also delegated powers of Director of Consolidation under the Act for judicial work. This power is also delegated to the District Officers. The other Deputy Directors at the headquarters are entrusted only with the judicial work for which they also hold the powers of Director of Consolidation. One of the Assistant Directors and the Personal Assistant assist the Consolidation Commissioner in the organization and implementation of the programme while the other Assistant Director supervises the rectangulation work. The Senior Accounts Officer deals with financial matters. The District Officer who is responsible for execution of the scheme, is assisted by a Settlement Officer (Consolidation), who is also the Sub-Divisional Officer and Sub-Divisional Magistrate of the tahsil under consolidation. The district is provided with an establishment of Consolidation officers who are of gazetted rank, Assistant Consolidation Officers, who are equivalent in rank to Naib Tahsildars, Consolidators, equivalent to Supervisor Kanoongos and Lekhpals. The strength of staff is based on the area under consolidation and number of fields in the area. There is a separate establishment for rectangulation work, i.e., for making of 25 acre rectangles on the ground. This is a team of professional surveyors who move into the tahsil a little in advance of the other consolidation staff. While marking the rectangles they also prepare a new map by cadastral survey if the existing map is found substantially inaccurate. The team is in the charge of a Rectangulation Officer who is of gazetted rank equivalent to that of a Tahsildar.

There is a State Advisory Consolidation Committee having the Minister for Revenue as its President and one MLA from each district representing the area or part of the area under consolidation and five members of the Legislature coming from areas outside consolidation operations as Members. The Committee reviews in a general manner the work accomplished in the State, makes suggestions for amendments in the Law, rules and procedure and offers other suggestions to improve the quality of the work or efficiency of operations. At the district level too there is an Advisory Consolidation Committee with the District Officer as Chairman. A Consolidation Committee is also constituted for each unit under consolidation.

## 7. REVENUE JUDICIARY

Cases relating to rights of tenure holders have to be presented before the forum of revenue courts. The present constitution of Revenue Judiciary in the State follows the pattern set under the British regime and has always remained linked with the administration of land revenue. The laws relating to land revenue and allied matters including the powers and functions of the courts connected therewith were scattered over a number of regulations issued between 1793 and 1833. Those laws were issued in a consolidated form for the first time through Act XIX of 1873 as respects the territories formerly known as the North Western Provinces and through Act XVII of 1876 as respects the Province of Oudh. Under the U.P. Land Revenue Act of 1901, the two territories were brought within the ambit of the same land revenue laws and the machinery set up for the administration of justice was made uniform. This marked the culmination of the process of evolution initiated in the early eighteenth century. In 1939 the tenancy laws of the two territories were also unified. Basic changes have taken place in the land laws of the State from time to time until the agrarian revolution ushered in by the passing of the Zamindari Abolition and Land Reforms Act, 1950 (Act I of 1951). A brief summary of the powers and functions of the courts which at present constitute the Revenue Judiciary in the areas to which this Act applies,—and it applies to the bulk of the State—are described briefly in the following paragraphs.

At the lowest rung are the Panchayati Adalats, which decide minor cases. The Kanoongo who stands at the last rung of the revenue hierarchy has power of mutation of names in all undisputed cases of succession. Then a Tahsildar, as also a Naib Tahsildar invested with the powers of Tahsildar, can decide all contested cases of mutation resulting from succession. The Tahsildar makes preliminary enquiries in cases of mutation based on transfer and correction in the Record of Right and he may also be invested with the powers of an Assistant Collector, I or II Class.

The Assistant Collectors, I Class, constitute the Court of first instance in a majority of proceedings relating to areas over which they have jurisdiction and may also be invested with all or any of the powers of the Collector. An Assistant Collector, II Class, in-charge of the Sub-Division may exercise all or any of the powers of an Assistant Collector, I Class, exercisable by the latter by virtue of his office or by investment besides the powers exercisable under the law exclusively by Sub-Divisional Officer.

The courts mentioned above are under the control of the Collector (Deputy Commissioner in Avadh and in hills) and he may exercise all or any of the powers of an Assistant Collector. An appeal from an appealable order of Assistant Collector, II Class, or a Tahsildar passed otherwise than in exercise of his power as Assistant Collector, I Class, lies to the Collector. During Record operations appeals from

the order of the officer exercising powers of Assistant Record Officer lie to the Record Officer which power is vested in the Collector unless a whole time Record Officer is available.

The Commissioner (including Additional Commissioner) is the court of first appeal from all appealable orders made in the exercise of the original jurisdiction by Assistant Collector, I Class, (including Tahsildar while exercising those powers), Assistant Collectors I Class in-charge of sub-division or Collectors (including Additional Collector). In revisions to the Board against orders of courts subordinate to the Commissioner, the Commissioner hears parties before submitting proceedings with his recommendations to the Board. All references from Courts subordinate to the Commissioner for the exercise of the revisionary powers of the Board are transmitted through the Commissioner.

The Board of Revenue is at the top of the hierarchy of the Revenue Judiciary. Subject to any orders of the State Government, the Members of the Board distribute their judicial business and make territorial division of their jurisdiction among themselves. Any order made by an individual Member according to the distribution made by the Board is held to be the order of the Board, subject to the provision that an order coming up for consideration of the Board in appeal cannot be altered or reversed without the concurrent judgments of two Members. The Board is also empowered to dismiss an appeal or revision under the Land Revenue Act or the U.P. Tenancy Act summarily without hearing the appellant or applicant. In appeals or revisions under the Zamindari Abolition and Land Reforms Act, a preliminary hearing is granted to the appellant or applicant.

The Board of Revenue is the final court of appeal in the State on the Revenue side, subject to the writ jurisdiction of the High Court or a further appeal to the Supreme Court where leave for the same is granted. The Board exercises appellate powers next above the Commissioner in cases where an appeal to the Board is provided. It has revisionary powers in all suits and proceedings decided by a subordinate court in which no appeal lies or where an appeal lies but has not been preferred except that a revision to the Board against the order of a court subordinate to the Commissioner is required to be filed before the Commissioner in the first instance and references made by courts subordinate to the Commissioner invoking the revisionary powers of the Board are similarly required to be made through the Commissioner.

## 8. LEGISLATION CONNECTED WITH AGRICULTURAL DEBTS

The following debt Acts are in force in Uttar Pradesh:

- (1) *Usurious Loans Act, 1918, as amended by the U.P. Amendment Act of 1934.*

This Act seeks to regulate the rate of interest on loans. It provides for re-opening of transactions with a view to bringing down rates

of interest, if the court empowered in this behalf has reason to believe that the interest is excessive or that the transaction was substantially unfair.

(2) *U.P. Encumbered Estates Act, 1934.*

This Act applied to indebted proprietors, under-proprietors and sub-proprietors. The decree was executed—

- (i) by sale of immovable property other than land,
- (ii) by self-liquidation mortgage of the debtor's land for a term not exceeding 20 years,
- (iii) by fixing instalments payable by the debtor for 20 years, in which case the creditor was granted Government bonds and responsibility for the collection of instalments was taken over by the Government, and
- (iv) by sale of unprotected land.

Under the Act one of the modes for liquidation of debt was the issue of bonds to creditors in lieu of money due to them. These bonds were promissory notes repayable at par within a period of 20 years. In order to recoup the money given to the creditors in the shape of bonds, instalments were fixed to be recovered from the debtor landlords along with land revenue. With the abolition of zamindari, the amount due to be recovered from debtor landlords in instalments became realizable forthwith on the date of vesting of zamindari rights in the State, i.e., July 1, 1952 and was to be recovered from the compensation money and rehabilitation grant which the debtor intermediaries were to get for their interests under the Zamindari Abolition and Land Reforms Act. The instalments which could not be recovered from the compensation money, remained due and are recoverable along with the land revenue under section 29 of the Encumbered Estates Act as amended by the U.P. Encumbered Estates (Amendment) Act, 1954. These conditions were modified with the enactment of the U.P. Zamindars Debt Reduction Act, 1952 dealt with in item (6) below.

(3) *U.P. Agriculturists Relief Act, 1934.*

This Act applied to all smaller agriculturists, zamindars, tenants and agricultural labourers and servants of the village community. It provided for adjudication of debts to prevent usury, for execution of decree by fixing instalments and for a speedy and summary process of redemption of mortgages. The major portion of this Act was repealed by the U.P. Debt Redemption Act, 1940 dealt with below and it now applies only to mortgages made before the commencement of that Act. Some of its other provisions which require a creditor to keep regular records and supply the debtor every year with a full and correct statement of his account are still in force. The Act also stands repealed in its application to the areas where the U.P. Zamindari Abolition and Land Reform Act, 1950 applies.

(4) *The U.P. Debt Redemption Act, 1940*

The Act provides for the adjudication of debts by reopening of transactions and for scaling the interest with the proviso that accumulated interest converted into principal before January 1, 1917 is to be treated as principal. The Act applies to tenants and workmen. A workman, according to the Act, means a person who earned wages within the meaning of the Payment of Wages Act, 1935, within twelve months preceding first day of June, 1940, which did not exceed Rs. 600 in any such month. The term also includes all those workmen who do not reside in a municipality, cantonment or notified area, and who belong to one of the classes specified in the first schedule of the Act which includes agricultural labourers and servants of village community. This Act gives the following facilities to a debtor workman:

- (i) Section 7 of the Act enables a debtor to file a suit for accounting,
- (ii) Section 8 enables a workman to get a decree already passed against him re-opened and amended in accordance with the provisions of the Act.
- (iii) The amount due by the debtor cannot exceed the amount that would have been due in case of an unsecured loan, if the rate of interest had been six per cent. The amount due by the debtor as interest cannot exceed the amount of the principal outstanding on the date on which the amount due by the debtor is determined. The future interest cannot exceed three per cent per annum.
- (iv) Only one-third of the agricultural produce of a judgment debtor can be liable to attachment in execution of a decree to which this Act applies.
- (v) No decree to which this Act applies can be executed by the arrest and detention of the judgment debtor unless the court is satisfied that such debtor has alienated or removed or concealed any of his property with the intention to defeat of the execution of such decree.

(5) *U.P. Regulation of Agricultural Credit Act, 1940.*

This Act governs loans advanced on or after June 1, 1940 and applies to all proprietors and tenants. The object is to prevent excessive borrowing. Voluntary alienation of protected land is prohibited except with the permission of a competent revenue authority. Not more than one-third of the agricultural produce is liable to attachment in execution of a decree. In execution of a protected land, the Collector may proceed either by grant of a usufructuary mortgage or by sale of protected land. The remedy of liquidation of debt by grant of a self liquidating usufructuary mortgage under the U.P. Debt Redemption Act, 1940 and the U.P. Regulation of Agricultural Credit Act has become ineffective in rural areas after the enforcement of the Zamindari Abolition and Land Reforms Act with effect from July 1, 1952.



(6) *U.P. Zamindar's Debt Reduction Act, 1952.*

After the abolition of zamindari, it was considered equitable that the landlord's debts should be reduced in proportion to the reduction in the value of his land. The U.P. Zamindar's Debt Reduction Act was, therefore, enacted which provides for the scaling down of the secured debts before their execution. The Act provides that a sum equal to one quarter of the compensation and rehabilitation grant payable to the debtor intermediary is saved to him.

All these debt acts have considerably reduced the burden of debts of zamindars and big tenants. The smaller tenants and labourers have not been able to derive much benefit from them but they have been benefited from reduced land revenue and high prices of agricultural produce and have thus paid off the bulk of their debts.

## 9. RELIEF ON ACCOUNT OF NATURAL CALAMITIES

Even under the British Rule some relief in rent and land revenue was given on the major failure of crops and some assistance was also provided on the outbreak of famine and fire. After Independence, there has been a great change in the approach, and the Government now tries to give greater relief to persons affected by natural calamities.

The measures adopted by the Government to deal with scarcity and to provide relief can be divided into three categories, as follows:—

- (i) Preventive measures in respect of floods, fire, locust, etc.
- (ii) Relief and rescue measures during calamity.
- (iii) Rehabilitation of the affected persons.

The main object of relief is to enable the sufferers to stand on their own legs and to help them in rehabilitation. Help is rendered both in cash and kind through the Collectors. It is neither intended nor can it ever be a substitute for the losses suffered. The help takes the shape of gratuitous relief, provision of forest produce free or at concessional rate, setting up of fair price shops, provision of grains and fodder at subsidised rates, remission of tuition fees of students of the affected areas, opening of work of public utility with the main intent of providing employment and wages at a rate slightly lower than usual. This also serves as a test of the necessity of such measures, if the requisite number of persons come up for work at low wage-rates. Rescue operations are undertaken during floods. Boats and launches are placed at critical points. Flood shelters are erected at suitable places and provided with grains and other necessities of life. On the failure of crops there is suspension and remission of land revenue for which detailed rules exist in the Revenue Manual. Loans are also advanced to agriculturists and non-agriculturists for repairs, construction of houses and other purposes. For the rehabilitation of affected persons land is acquired, if necessary, and assistance also provided for rebuilding houses. The U.P. Acquisition of Property (Flood Relief) Act, 1949, and the U.P. Flood (Emergency) Powers (Requisition and



Evacuation) Act, 1951, give powers to Government to take necessary action in these matters. Figures of rainfall and of rise and fall of river level, etc., are collected by the Scarcity Department. The Famine Code contains instructions regarding test works and other relief measures for those affected by serious natural calamities.

The Scarcity Department acts as coordinating agency for all the departments of the Secretariat who are concerned with measures necessary in the event of the occurrence of scarcity. The Government of India also give central assistance for the expenditure incurred in connection with natural calamities under certain conditions.

In order to meet serious drought situation in Uttar Pradesh, a Drought Emergency Committee was appointed by the State Government in October, 1966 with the Chief Secretary to Government as its Chairman and some other Secretaries to Government and heads of development departments as its members. The Committee held its meetings daily and took decisions on various matters arising out of serious situation caused by unprecedented drought of 1966. Important crash-programmes concerning agricultural production, irrigation, energisation of tube-wells, programmes relating to minor irrigation works, distribution of taqavi and gratuitous relief, etc., were initiated and implemented immediately after the decisions were taken.

#### 10. LOANS FOR AGRICULTURAL DEVELOPMENT (TAQAVI)

Taqavi is the name given to a loan, in money or in kind, advanced by Government to a holder of arable land for a specified purpose. The grant of such loans is governed by the provisions of Land Improvement Loans Act (XIX of 1883), and the Agriculturists' Loans Act (XII of 1884).

In broad terms the distinction between the two types of loan is that taqavi under Act XIX of 1883 is advanced for objects which bring about an improvement of a substantial and lasting nature and thus add to the productivity of land. Such purposes are installation of tube-wells; construction or improvement of masonry wells, bandhis, water reservoirs, tanks, baolis; purchase of water lifting appliances, e.g., Persian wheels and pumping plants, tractors, cane-crushers and reclamation of culturable waste land.

Loans under Act XII of 1884 are made for purposes connected with Agriculture but not covered by Act XIX of 1883. Such loans are given for dry and milch cattle, fruit cultivation, improved varieties of ploughs, seed, kachcha wells, dairy farming equipment, bee-keeping appliances, soil breakers, thrashers, etc., artificial or organic manure; improved kolhus, pans and similar other devices. Loans under this Act are also advanced for the relief of distress caused by an agricultural calamity, such as famine, flood, drought and also for the repair and re-construction of houses damaged or destroyed by excessive rain.

No taqavi can be advanced for the re-payment of debts or for the

purchase of rights in agricultural land. Taqavi is a loan bearing simple interest: it is not under any circumstances, a gratuitous payment. It is meant to be recovered in full along with interest and is, therefore, advanced only to solvent cultivators who are in a position to guarantee repayment. This is the case even in respect of distress taqavi. On failure to pay at the appointed time the outstanding balance becomes realizable as arrears of land revenue, and the defaulter is liable to be subjected to all the coercive processes for the recovery of arrears of land revenue.

Taqavi loans are admissible to tenure holders of arable land or to a person having a right to make improvement on the land or with the consent of that person to any other person. Preference is given to comparatively small cultivators. All loans have to be properly secured. Applications are presented to the Tahsildar, Sub-Divisional Officer or the Collector. If advances are to be made by an officer of another department, it may be presented to him, but the officer receiving the application should ensure that it reaches the Collector soon with his recommendations. The Collector can sanction individual loans, under both the Acts up to Rs. 10,000 and the S.D.O. up to Rs. 1,000. The Tahsildars can grant individual loans up to Rs. 250 under Act XII only. Similar powers in respect of the District Planning Officers and Block Development Officers also exist. For an advance exceeding Rs. 10,000, orders of the Board of Revenue are required.

Remissions of loans are admissible only (1) when a loan is actually irrecoverable, or (2) when a work fails from causes beyond the borrower's control and the recovery of the loan in full would occasion serious hardship, or (3) when a crop grown from seed for which taqavi has been taken owing to one calamity is totally lost in another calamity of the following season. The Tahsildar is primarily responsible for the due recovery of all demands on account of loans advanced in his tahsil. The lekhpal maintains a taqavi debtor's sheet, in which he enters, village-wise, every person owning taqavi.

Elaborate rules, viz., the U.P. Taqavi Rules, 1942, have been framed under the two Acts mentioned above for regulating the grant of taqavi and keeping a control on the disposal of Government money. The salient features of the law and rules on the subject are given in the publication: 'Guide to Taqavi Law and Rules'.

The demands made upon the Government for loans for agricultural purposes has shown a phenomenal increase in recent years. The concept of a Welfare State has been responsible for the initiation of many schemes intended to bridge the gulf between consumption and production of agricultural produce. These schemes often depend upon the distribution of taqavi to make them successful. At the same time a succession of agricultural calamities, particularly in the eastern districts, make it necessary to distribute distress taqavi on a scale unheard of before. Indigenous banking cannot meet the situation and institutional banking has not risen to the occasion. In the year 1945-46, the amount budgeted for taqavi was barely Rs. 50

lakhs. In 1955-56, the total provision, after being supplemented by the State Contingency Fund was Rs. 3,41,80,000, and in 1965-66 it was Rs. 9,45,16,700.

The Scarcity Department of the Secretariat acts as the co-ordinating and controlling agency for taqavi loans granted by various departments, viz., Industries, Agriculture, Community Development, etc. The Board of Revenue is the chief administrative authority for these loans, and obtains estimates for normal taqavi from the Collectors through the Commissioners and that for special purposes from the heads of departments concerned. Allotments for all these purposes are, however, placed by the Board at the disposal of Collectors.

### 11. LARGE LAND HOLDINGS TAX

The Agricultural Income Tax Act was in force in this State from 1948 to 1957. There were, however, certain loopholes in that law. People could keep their land idle and avoid payment of tax. This meant a loss both to the nation and the State. It being open to the farmer to prove his actual agricultural income by the accounts that he might keep and there being no official agency which could exactly assess the value of the production of each and every large farmer, those who were otherwise liable to pay agricultural income tax could and often did escape the assessment. In order to do away with these defects, the Agricultural Income Tax Act, 1948, was replaced by the Large Land Holdings Tax Act, 1957, with effect from July 1, 1957. Under the new Act a land tax was levied on the aggregate of all holdings held or occupied on the first day of July each year by a land holder, whether in his own name or in the name of any member of his family. The annual value of a land holding was calculated by multiplying the rent calculated at the sanctioned hereditary rates by  $12\frac{1}{2}$ . The land holdings up to 30 acres and those having an annual value of less than Rs. 3,000 were exempt. Any land holding held under trust or other obligations wholly for religious or charitable purposes recorded as such in the name of waqf, trust or endowment was also exempt from the holding tax. The rate of the holding tax ranged from 5 paise to 60 paise in a rupee. Any area of land holding which was planted with groves of trees other than important fruit crops like apple, mango, jack-fruit, citrus and guava, etc., before the first day of July, 1957 was exempt from the holdings tax subject to a maximum of one-fourth of the area of the landholder. Any area under such groves in excess of one-fourth of the total area of the land holdings was subject to a lower multiple of 5. This ensured the maintenance of the existing grove. To encourage the plantation of new groves, lower multiples were prescribed for all kinds of groves planted on or after July 1, 1957. The reduced multiple was 4 for the first year, 2 for the second year and nil for the third and subsequent years. The Large Land Holdings Tax Act was repealed by Section 45 of the U.P. Imposition of Ceilings on Land Holdings Act, 1960, but, as a measure for enhancing the financial resources of the State Government, the tax was revived

retrospectively with effect from July 1, 1962, with the enactment of the *U.P. Vrihat Jot Kar Adhiniyam*, 1963 (U.P. Large Land Holdings Tax Act, 1963).

## 12. COLONISATION

The scheme of settling peasants in areas needing development is known as colonisation. It was started in this State in 1947 with the object of increasing food production and rehabilitating ex-servicemen, displaced persons of East and West Pakistan, political sufferers, agricultural graduates and diploma holders and landless persons, etc. The first settlement was started in Ganga Khadar (Meerut), Tarai and Kashipur (Nainital) and Dunagiri (Almora). Subsequently two colonies, Manunagar (Rampur) and Afzalgarh (Bijnor) were developed only for ex-servicemen. A total area of 2,23,300 acres was acquired for these six colonies.

The settlers are given land broken by tractors at State expense but a nominal contribution of Rs. 500 per head is charged from them. Political sufferers and landless persons are exempted from this contribution but the land allowed to them is not broken up. Preference is given to Tharus and Buxas, backward tribes of district Nainital and landless Shilpkars of Kumaun, who belong to the scheduled caste. They are also not charged any contribution but they have themselves to make the land fit for cultivation.

The settlers are given the following further assistance:

- (i) Constructed houses;
- (ii) Loans to Cooperative Societies formed by them for purchase of agricultural implements;
- (iii) Grants to ex-servicemen at the rate of Rs. 500 per settler by the State Government and Rs. 750 per settler by the Government of India;
- (iv) Grant to ex-servicemen from the Post War Reconstruction Fund Trust.

The cost of houses is recoverable in forty half yearly equated instalments. The loans to Cooperative Societies are realised in twenty equated annual instalments with interest.

The work of reclamation and settlement in all the above schemes except in Afzalgarh was mostly completed by the end of the First Five Year Plan. Since then but for the schemes of Tarai and Afzalgarh the rest have been merged with the normal district administration. There are besides two townships one in Rudrapur (Nainital) and the other at Hastinapur (Meerut). The Tarai and Afzalgarh settlements and the two townships at Rudrapur and Hastinapur are dealt with by the Board of Revenue. The district officers are in-charge of the scheme in districts of Nainital and Bijnor.

### 13. SEASON AND CROP REPORTS AND RAINFALL STATISTICS

Till the close of the nineteenth century, separate reports on the Kharif and Rabi Seasons were issued by the then Directorate of Land Records and Agriculture, while the agricultural statistics for the year and the occurrence of agricultural deterioration were dealt with in a note which was appended to the Revenue Administration Report. In the year 1901-02, the Government of India desired that all this information should be brought together and published in a single report. The first 'Season and Crop Report' of this State was, therefore, issued for that year. Later, detailed instructions for the preparation and the form of the report were prescribed on all-India basis by the Government of India in 1905. They were supplemented by revised pattern and forms in 1948 which were adopted by the State Government in 1952. The first report on the revised lines was prepared and published for the year 1953-54.

The Season and Crop Report is meant to depict the seasonal conditions affecting the crops prevalent in the State during an agricultural year June to May for the following periods, viz., (i) Monsoon (June-September), (ii) Post-monsoon (October-December), (iii) Winter (January-February) and (iv) Pre-monsoon (March-May), and contains data for the whole State as also for each district regarding (i) classification of area under forest, barren and unculturable land, land put to non-agriculturable uses, culturable waste, permanent pastures and other grazing lands, land under miscellaneous tree crops and groves not included in area sown, current fallows, other fallow land, net area sown, area sown more than once and total cropped area; (ii) Sources of water-supply and area irrigated from each source; (iii) Area of food and non-food crops irrigated; (iv) Area under all crops, viz., cereals, pulses, sugarcane, fruits, vegetables, spices, miscellaneous food crops, fibres, oilseeds, drugs and narcotics, fodder crops, grass cropped area, etc., (v) Average yield per acre, condition factor and total out-turn of crops, (vi) Farm prices of principal crops, (vii) Agricultural wages in the State, (viii) Number of livestock, poultry and agricultural machinery, and (ix) Rainfall in each district of the State.

The main source of statistics in the Season and Crop Report regarding area under cultivation and crops sown, etc., is the system of regular *partals* through the agency of *Lekhpals*, formerly known as *patwaris*. For hill districts, statistics are based on conventional estimates. Estimation of yield and total out-turn is done through crop-cutting experiments conducted under the supervision of Agriculture Department. No report for the year 1952-53 could be published as proper records for that year could not be collected owing to the mass resignation of *Patwaris* during the year.

Rainfall registration for official purposes is attended to in India jointly by Central and State Governments. Rain gauge Stations are maintained throughout the State with the technical advice of the



Director General of Observatories, Government of India. The arrangement for Rainfall Registration in India was put on a working basis by the Government of India Resolution dated April 29, 1890 issued by the then Revenue and Agriculture Department and is still in force with only slight modifications. According to it the State Government arrange for (i) maintenance and inspection of all State Raingauge Stations, (ii) recording and collection of rainfall data from these stations, (iii) regular publication of such data for the use of the public and (iv) supply of special printed statements of daily rainfall and monthly rainfall in prescribed forms to the India Meteorological Department of the Government of India for compilation of two annual publications, viz., "Daily Rainfall of India" and "Monthly Rainfall of India".

The need for prompt collection, supply and publication of rainfall data has now assumed a much greater importance because of the greater utilization of these data in activities connected with water resources development, flood control and other planned enterprises. The Director General of Observatories is frequently called upon to supply up-to-date information about rainfall for studies on floods, droughts, etc., and for rendering advice about rainfall regimes to planning authorities. He has to give his opinion to River Valley Projects regarding rainfall peculiarities of different river catchments. Returns regarding progress of seasonal rainfall are required to be compiled and supplied to the Ministry of Food and Agriculture for keeping a watch on the effects of rainfall on the food position of the country. Rainfall data are also required for preparing reports on storms and depressions and their associated precipitations. In addition, weather forecasters require more prompt data of actual occurrence of rainfall because they attempt now-a-days to issue forecasts for smaller areas than hitherto. All these activities depend upon the correct recording of rainfall and telegraphic transmission of the recorded data to the agencies who require them and also on the promptness with which the data are published and made available to all concerned. The standard raingauge is an essential part of the recording equipment at all meteorological observatories and the standard time of taking observations is 8.30 A.M., I.S.T.

Initially, rainfall work was being looked after in the State by the Meteorologist at Allahabad, but on the abolition to that office in 1915, it was taken up by the U.P. Secretariat at Allahabad where it was done under the supervision of the Superintendent of Revenue Department. The work was, however, transferred to the Director of Land Records and Agriculture from August 1, 1916, who was made the controlling officer of the rainfall registration in the State.

The existing raingauges in the State comprise the following network:

- (i) Raingauges at three meteorological observatories maintained and controlled by the Government of India;



(ii) Raingauges maintained by the State Government under the control of:

(1) Board of Revenue at 244 stations and

(2) other departments such as Irrigation, Agriculture, Forests, etc., at 54 stations;

(iii) Raingauges maintained by the Director, Regional Meteorological Centre, New Delhi, at 36 places in the State.

It is contemplated to set up a Raingauge Station at each Development Block headquarters. Raingauge stations under the Board of Revenue are controlled by the Collectors of districts, who appoint from amongst their staff honorary Superintendents, Observers and Deputy Observers. These agencies supply the data to the Board of Revenue by the 15th of the following month to which these relate, where these are compiled and published in the form of (i) a Table of Daily Rainfall for a month recorded at various stations and (ii) Monthly and Annual Rainfall Table for the whole year. Publication of weekly rainfall data was discontinued in September, 1916. Extracts are sent to the Deputy Director General of Observatories (Climateology and Geophysics), Poona and the Director, Regional Meteorological Centre, New Delhi, who prepare monthly weather reports which are utilised in the preparation of Season and Crop Reports.

#### 14. REVISION OF DISTRICT GAZETTEERS

The District Gazetteers were last revised before the first World War. They became out of date and their revision was considered necessary in the background of the struggle for the achievement of independence. The impact of the Five Year Plans was also to be incorporated in the Gazetteers. In this State the revision work was started at district level in 1955 when an Assistant and a Typist were provided to each District Officer. In 1957, the pattern suggested by the Government of India was adopted under which the staff provided to districts was withdrawn from April 1, 1958 and the work was centralised at the headquarters of Government under a State Editor who was an officer in the Senior Scale of the I.A.S., and who was helped by three Editors of the U.P.C.S., a number of Compilation Officers, Assistant Compilation Officers and other staff. The Government of India provided an aid of Rs. 6,000 for each Gazetteer and 40 per cent of the printing charges. The compilation staff at the headquarters visited the districts for collecting necessary material. An Advisory Board consisting of a Chairman and ten members was constituted to give suggestions on the draft chapters as were to be incorporated in the gazetteers. Revised gazetteers of Lucknow, Sitapur, Faizabad, Bara Banki, Agra, Varanasi, Jhansi, Meerut and Bareilly districts have been published already.

The organization under the State Editor was wound up with effect from January 1, 1967, and a skeleton staff under an Editor was attached to Revenue (C) Department at the Secretariat for com-

pleting the work left over.<sup>8</sup> A decision to revive the Gazetteers' Organization was, however, again taken in September, 1967.

### 15. ACQUISITION OF LAND

The first legislation to provide for compulsory acquisition of land in India was Regulation I of 1824 of the Bengal Code. It envisaged "a just and full compensation to all persons holding an interest in the property so appropriated". The Act VI of 1857 modified that Regulation to make better provision for the acquisition of land needed for public purposes within the territories in possession of and under the Government of East India Company and for the determination of the amount of compensation to be made for the same. The Act postulated a declaration for a public purpose to be issued by a Secretary to Local Government. The Collector was to mark out and measure the land in the light of which a plan was to be drawn. A notice of acquisition was to be written out and affixed to the land in question. A Collector's award could be passed on agreement. If there was dispute as to rival claimants to the compensation amount, reference to arbitrators was resorted to. On the Collector's award or his reference to Arbitrators, there was a legal vesting of the property in the Government free "from all other estates, rights, titles and interests". This Act was amended by Act II of 1861 which aimed at providing for cases of temporary acquisitions. Act XXII of 1863 subsequently enabled the Government "to take land for the construction of works of public utility by private persons or companies". All these Acts were replaced by Act X of 1870, which provided for a detailed and effective procedure for acquisition of land, improved tribunal for decision of claims and a clear set of rules for assessing compensation. The uncontrolled discretion of the arbitrators was put to an end. In cases of disputed claims, the Collector was required to refer the difference for the decision of a Civil Court, usually that of the District Judge.

With the passage of time and experience gained, this Act too was found to contain many serious defects, the main being that since it required the Collector to refer for the decision of the court every difference of opinion as to the value, it 'involved in litigation, with all its trouble and delay and expense, a great number of persons whose interest in the land was extremely insignificant...to try their luck by compelling a reference to the Court', no matter how fair the original offer of the Collector was.

These defects were removed through the Land Acquisition Act, 1894 which has been amended and supplemented from time to time by other Acts. Land Acquisition has been a subject of concurrent jurisdiction of the Central and the State Governments, the State Government have adopted many enactments in this behalf which were

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8. In February, 1967, the gazetteers of Allahabad, Mathura, Moradabad, Pithoragarh, Chamoli and Uttarkashi districts were in hand. It left 39 districts for which work was to be taken up.

mostly applicable to specified localities. The first Act that the State Government adopted was the U.P. Town Improvement Act, 1919, which was applicable to all Municipal Towns and Town Areas. The object was to facilitate acquisition of lands for the improvement of towns. During the Second World War when the country had undergone a revolutionary Industrialization, the City of Kanpur was the foremost pioneer in industrial developments and its population increased with almost galloping rapidity. In order, therefore, to meet the increasing demand of land for this development, the State Government enacted the Kanpur Urban Area Development Act, 1948. Other special Acts providing for acquisition of land for specific purposes, like the U.P. Acquisition of Property (Flood Relief) Temporary Powers Act, 1948, and the U.P. Land Acquisition (Rehabilitation of Refugees) Act, 1948 were also enacted. In 1961, the U.P. Nagar Mahapalika Act was passed and it had its own Amendment to the principal Act of 1894. It, of course, repealed the Kanpur Urban Area Development Act, 1948, mentioned earlier.

All Government departments, Local bodies or Companies, who want a particular land to be acquired compulsorily, have to move the Collector of the district, who holds an inquiry in the matter and if he is satisfied that there is no administrative ground against the acquisition, recommends the case to the Government in the department concerned for issue of the required notifications. Usually one of the Deputy Collectors in the district is designated as District Land Acquisition Officer who declares award of compensation and takes over possession of the land. He is provided with one or two clerks and some field staff like Amins and Chainmen. For special schemes or for departments like Irrigation and Public Works, which have a heavy programme of land acquisition, Special Land Acquisition Officers (Deputy Collector) or Deputy Land Acquisition Officers (Tahsildars) are appointed whole-time for this work. They are provided with an establishment of Naib Tahsildars, Clerks, Amins, Chainmen, etc. They visit the areas, complete the proceedings and pay compensation on the spot. The District Land Acquisition Officers and the Special Land Acquisition Officers are conferred with powers of a Collector under Section 3(c) of the Land Acquisition Act and are responsible for the entire proceedings under the Act.

The first provincial organization to supervise the work of Land Acquisition throughout the State was that of the Provincial Land Acquisition Officer set up in the year 1945. This organization was subsequently merged with the erstwhile Land Reforms Commissioner's office in the year 1953, which itself was abolished and merged in 1956, in the Board of Revenue who now supervise this work throughout the State. Their functions are as follows:—

- (i) There are certain principles prescribed in the Manual of Orders of the Revenue Department for determining compensation of land acquired. When, however, the compensation calculated according to these principles is considered not to represent the actual market value, the

matter is referred to the Board who sanction special rates of compensation in each individual case.

- (ii) In order to prevent the Land Acquisition Officers from having a free hand in regard to determination of compensations, they are not authorised to declare awards exceeding Rs. 10,000 except with the previous approval of the Board.
- (iii) The Board obtain copy of every award, even below this amount from the Land Acquisition Officer under Section 12(2) of the Land Acquisition (U.P. Amendment) Act of 1954, and if on scrutiny of these awards or otherwise, they feel that the compensations awarded have been excessive, under the powers vested in them through the Act, they direct the Collectors to file reference in the Civil Courts.
- (iv) They exercise general supervision on work and make recommendations to Government regarding budgets, staff, interpretations or amendments to rules or orders and general working of the department.

The Board are assisted in this work by a Deputy Land Reforms Commissioner in the Senior Scale of the I.A.S. and one Assistant Land Reforms Commissioner of the rank of Deputy Collector. Besides, there is a separate Land Acquisition Section in the Board's office comprising of two Officers on Special Duty of the rank of Tahsildars and requisite field and clerical staff.

The District and the Special Land Acquisition Officers work under administrative control of the Board through the Collectors of the district where their headquarters are fixed. The operation zones of these special officers are fixed by the Board which vary according to the volume of work and the urgency of the projects.

A Committee has been set up at Board's headquarters under the Land Acquisition (Companies) Rules, 1963 to advise Government in such land acquisition cases. The expenditure on Land Acquisition is incurred by the departments of Government acquiring land. The Revenue Department also recovers the cost proportionately from different bodies for whom land is acquired through it.

## 16. SUBORDINATE REVENUE SERVICE

This consists of Tahsildars, Naib Tahsildars and Peshkars. A *tahsil* is placed in the charge of a Tahsildar who is assisted by one or more Naib Tahsildars in the plains and Peshkars in the hill districts of the State.

Tahsildars are gazetted officers and Magistrates of 2nd class,<sup>9</sup> but they also exercise the powers of the Assistant Collector, 2nd

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9. For classification of magisterial powers, see Chapter 6.3 on Home (General) Department.

class and in some matters of 1st class. They are governed by the Subordinate Revenue Executive Service (Tahsildars) Rules, 1944, and are appointed by promotion from amongst Naib Tahsildars, Peshkars, Kanungo Inspectors including Kanungo Instructors and Sadar Kanungos.

Naib Tahsildars and Peshkars are non-gazetted officers and do not have any magisterial powers, but they exercise certain powers of the Assistant Collector, 2nd class. They are governed by the Subordinate Revenue Executive Service (Naib Tahsildars) Rules, 1944 and the Subordinate Revenue Executive Service (Peshkars) Rules, 1946 respectively. Both are appointed by direct recruitment through a competitive examination conducted by the State Public Service Commission, as also by promotion of Supervisor Kanungos except that in the case of Peshkars appointments by promotion are also made from amongst permanent officials who have worked as Forest Panchayat Inspectors in Kumaun Division.

The Collection Naib Tahsildars appointed earlier under the integrated Collection Scheme exclusively looked after the collection work, while the regular Naib Tahsildars primarily supervised the work relating to Land Records and other matters connected with revenue administration. This functional distribution of work between regular Naib Tahsildar and Collection Naib Tahsildar and maintenance of two separate cadres was not advantageous as it separated the work of collection of revenue from the work of maintenance of correct land records. Both these functions and the cadres were, therefore, merged together with effect from November 15, 1962. The permanent cadres of Tahsildars, Naib Tahsildars and Peshkars on April 1, 1965 were of 278, 791 and 23 posts respectively.

These functionaries work under the general control of the Collector of the district, while the Board of Revenue are their head of department and appointing authority. Commissioners of Divisions also act as heads of department in respect of certain financial matters and inspections.

## 17. ADMINISTRATION OF GOVERNMENT ESTATES

Government estates are immovable properties belonging to the State Government and placed under the administrative control of the Board of Revenue who get them administered through the District Officers. Most of these are small estates. The major estates constituted the Tarai and Bhabhar Government Estates, Haldwani, District Nainital; Garhwal Bhabhar Government Estates, District Garhwal; Dudhi Government Estates, Mirzapur, and Stone Mahal, Mirzapur. Since these areas were isolated, no one was willing in the beginning to live there and it was only after a great deal of persuasion that people have been settled in these areas. In pursuance of the land reforms policy of the Government, these estates are losing their separate entities and are being integrated gradually into the normal district administration. Actually, Garhwal Bhabhar and Dudhi have



ceased to be Government Estates after the application of land reforms law there, but in view of the backwardness of the Dudhi tract the functions of Goan-Samajs have been entrusted to the care of the Collector, Mirzapur.

Allotment of land for cultivation in Tarai and Bhabhar Government Estates is made on the advice of a Committee consisting of prominent non-officials which is headed by the District Magistrate, Naini Tal. The allotment is made from amongst the following categories of persons:

- (i) persons displaced by the construction of dams in the Naini Tal district and persons residing in that district whose land had been acquired by Government for public purposes;
- (ii) flood affected persons of Hastinapur, district Meerut; and
- (iii) landless persons of Kumaun Division including Shilpkars, Buxas and Tharus.

In Tarai and Bhabhar Government Estates, the problem of trespass constitutes a difficult problem. In the past, when big chunks of land were lying waste or fallow, this area attracted the attention of displaced persons from Pakistan who occupied the available land. Steps for evicting these persons under the law are being pursued.

Financial aid is given to the allottees in the form of taqavi at district level. Allotment of land for non-agricultural purposes is made for small periods by District Officers and for longer periods by the Board of Revenue in all the Government Estates. The estate authorities run numerous primary schools, junior high schools and higher secondary schools for boys and girls in the major estates. There are seed stores, block unions, banking unions, primary agricultural credit societies, labour societies and co-operative societies in these estates. Leases for industrial purposes are also sanctioned. Bazars and townships are developed in and near the estates.

In the Stone Mahal in Mirzapur district, which is administered under the local care of a Superintendent, building stone is quarried for sale. The main source of income in this tract is from duty on stones, sale proceeds of confiscated stones, fines and licence fee for working quarries.

## 18. GOVERNMENT GRANTS ACT AND ADMINISTRATION

The Crown Grant Act, 1895, which was later known as the Government Grants Act, was originally enacted to regularise the position in regard to the Sanads granted by the Crown in respect of *Purohit* Estates or *Taluqdari* Estates which bestowed rights to the grantees, as were not consistent with the provisions of the Transfer of Property Act. Actually the intention was that the terms and conditions of the grants made under the above Act were to prevail notwithstand-



ing any thing to the contrary in any other enactment. The High Court of Judicature at Allahabad in a case,<sup>10</sup> however, decided that terms of grants made under this Act could not have preference over the provisions of the U.P. Tenancy Act. This position was unacceptable to Government and, therefore, the Act was amended in its application to U.P. by the Government Grants (U.P. Amendment) Act, 1960, by which all doubts as to the extent and purpose of the Government Grants Act, 1895, were set at rest and it was clarified that all provisions, restrictions, conditions and limitations contained in any grant made under the Act shall be valid and take effect according to their tenor and any decree or directions of a court of law or any rule of law, statute or enactment of the Legislature to the contrary shall not prevail over them unless it was an enactment relating to the imposition of ceilings on agricultural land, land reforms or enactment relating to the acquisition of property.

### 19. BHOODAN AND GRAMDAN

The U.P. Bhoodan Yagna Act, 1952 (U.P. Act No. X of 1953) was passed on February 27, 1953 in order to give legal sanction to and to provide for statutory procedure to facilitate donation of land in connection with the Bhoodan Yagna movement initiated by Sri Vinoba Bhave and for the setting of such land on landless persons. Provisions of the Act are not enforced in the same way, as of other statutes, and the purpose is achieved more by active support of the general public. The Act also removes certain legal difficulties which stood in the way of proper recording and settlement of land donated prior to the passing of the Act. The Act provides that, notwithstanding anything in any law for the time being in force, any person being the owner of land may donate it to the Bhoodan Yagna by a declaration in writing. It provides for an inquiry, hearing of objections, entries in the land records and for grant of the donated land to landless persons by the Bhoodan Yagna Committee.

The Chairman, Members and the Secretary of the U.P. Bhoodan Yagna Committee are nominated by Sri Vinoba Bhave or in the alternative by the State Government. They hold office for four years and are eligible for renomination. The Committee is entrusted with the administration of all lands vested in it. The Committee may also, with the approval of the State Government specify generally in respect of any area, that specified functions can be performed by any other authority or person. The Committee has its district units under the U.P. Bhoodan Yagna Rules, 1953, providing for the implementation of the provisions of the Act. Co-operation of the Government, Zila Parishads and Gram Samajs is availed of by the Committee and its district units. The Government gives an annual aid of Rs. 50,000 to the Committee to encourage the movement. The accounts of the Committee are audited by the Examiner, Local Funds, U.P.

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10. Ram Anand Murao and Chhedi Teli *versus* State, 1956.

A District Convener has right to distribute land in accordance with the provisions of Section 14 of the Act. The date appointed for distribution of land in a village is widely proclaimed a week before and the Collector of the district and other revenue staff are informed of it. A public meeting of all villagers is called to find out the landless persons who have no other vocation and who wish to cultivate the land themselves. The distribution of land is made in a public meeting in which the tahsildar or any other official deputed by the Collector, including the Kanungo and Patwari, are present. Distribution of land is made by agreement, but it may some time become necessary to decide the matter by drawing lots. Co-operation of good-spirited people is sought throughout. One-third of the total land received is, as far as possible, distributed to Harijans. For a family of five persons, one acre irrigated and from 2.5 to 5 acres of unirrigated land is usually allotted. The allottees cannot sell the land during the next ten years of allotment.

Gramdan Movement, similarly, is a new concept initiated by the Bhoodan leaders. The State Government had set up in 1958, the Gramdan Advisory Committee, which prepared a draft Bill aiming for a separate legislation for Gramdan villages. The Bill, which has undergone numerous changes, and is more or less based on the model draft Bill proposed by the Planning Commission, Government of India, is at present under consideration in the shape of U.P. Gramdan Bill.

## 20. STATE SOLDIERS', SAILORS' AND AIRMEN'S BOARD

In October 1917, at the instance of the Government of India, a Provincial War Board was formed at the headquarters of the provincial Government, to assist the latter by collecting money, material and recruits in the prosecution of the first World War. At the end of the war, the Board was converted into the Provincial Soldiers' Board for promoting measures of welfare of ex-servicemen, servicemen and their families. The Governor was the President with a whole-time Secretary and from 1921 the expenditure on the Board began to be met from provincial Revenues. With the gradual decrease in work later, the Military Secretary to Governor became its part-time Secretary. Between 1932 and 1942 the office of the Board remained attached first to the General Administration Department, then to the Executive Department (now Secretariat Administration Department) and lastly to the Information Department. In April, 1942 the Military Secretary to the Governor again became its part-time Secretary. This arrangement lasted till the eve of Independence, when from August 15, 1947 the Revenue Minister became the President of the Board. The Governor's Secretary continued to be its Secretary, but a whole-time Secretary was appointed in August, 1949.

The principal functions of the State Board are:

- (i) to co-ordinate the work of the District Soldiers', Sailors' and Airmen's Boards in the State.

- (ii) to promote measures of welfare of ex-servicemen and families of serving soldiers;
- (iii) to disseminate information to the general public regarding Armed Forces in the country and to take measures to rouse an intelligent interest in the Armed Forces among members of the general public;
- (iv) to represent and explain to the civil authorities all matters of particular interest to the military classes which required attention of the State administration;
- (v) to assist all ranks of the military services in bringing their legitimate wants and difficulties to the notice of the appropriate authorities through the medium of the District Soldiers', Sailors' and Airmen's Boards;
- (vi) to work in close liaison with the Director, National Employment Services, U.P. and the Trustees of the U.P. Post War Services Reconstruction Fund Trust in promoting schemes for the settlement of ex-servicemen in employment and other occupations, for the establishment of co-operative societies and other measures initiated for the benefit of ex-servicemen;
- (vii) to maintain liaison with the military authorities and bring to their notice matters affecting ex-servicemen which required attention.

Besides the Board at the State headquarters, there exists practically in every district a District Soldiers', Sailors' and Airmen's Board under the administrative control of the State Board, which functions in accordance with the directions received from the Indian Soldiers' Sailors' and Airmen's Board, Ministry of Defence, Government of India, New Delhi. The District Officers are *ex-officio* Presidents of these Boards which, except for a few, have whole-time Secretaries. The offices of these District Boards are not treated as Government offices.

There is a U.P. Soldiers' Benevolent Fund Committee with the Revenue Minister as President and two Members, namely the Secretary of the State Board and one non-official, which gives grants from the U.P. Soldiers' Benevolent Fund.

**Acts, Rules, Regulations and Manuals relating to Revenue Department.**

Sl. No.	Name of the Act, Rule, Manual, etc.	Year	Authority under which enacted or framed
1.	Oudh Estate Act.	1869	Government of India
2.	Court Fees Act.	1870	-do-
3.	Land Improvement Loans Act.	1883	-do-

<i>Sl. No.</i>	<i>Name of the Act, Rule, Manual, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
4.	Agriculturists' Loans Act.	1884	Government of India
5.	Mirzapur Stone Mahal Act.	1886	-do-
6.	(i) Revenue Recovery Act.	1890	-do-
	(ii) Revenue Recovery (U. P. Amendment) Act.	1965	State Government
7.	(i) Land Acquisition Act.	1894	Government of India
	(ii) Land Acquisition (U. P. Amendment) Act.	1954	State Government
8.	(i) Government Grants Act.	1895	Government of India
	(ii) Government Grants (U. P. Amendment) Act.	1960	State Government
9.	Indian Stamps Act.	1899	Government of India
10.	U. P. Land Revenue Act.	1901	State Government
11.	Bundelkhand Encumbered Estates Act.	1903	State Government
12.	Oudh Settled Estates Act.	1917	State Government
13.	(i) Usurious Loans Act.	1918	State Government
	(ii) Usurious Loans (U. P. Amendment) Act.	1934	State Government
14.	U.P. Town Improvement Act (so far as land acquisition is concerned).	1919	State Government
15.	U.P. Estates Act.	1920	State Government
16.	U.P. Board of Revenue Act.	1922	State Government
17.	U.P. Agriculturists Relief Act.	1934	State Government
18.	U.P. Encumbered Estates Act.	1934	State Government
19.	U.P. Tenancy Act.	1939	State Government
20.	U.P. Debts Redemption Act.	1940	State Government
21.	U.P. Regulation of Agricultural Credit Act.	1940	State Government
22.	The Kumaun Nayabad and Waste Land Act.	1948	State Government
23.	Village Abadi Act.	1949	State Government
24.	U.P. Acquisition of Property (Flood Relief) Act.	1949	State Government

<i>Sl. No.</i>	<i>Name of the Act, Rule, Manual, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
25.	U.P. Land Acquisition (Rehabilitation of Refugees) Act.	1948	State Government
26.	Jaunsar-Bawar Pargana (District Dehradun) Debt Control Regulation.	1948	State Government
27.	U.P. Agricultural Tenants (Acquisition and Privileges) Act.	1949	State Government
28.	U.P. Zamindari Abolition & Land Reforms Act.	1950	State Government
29.	Dudhi-Robertsganj (District Mirzapur) Agricultural Relief Act.	1951	State Government
30.	U.P. Flood (Emergency) Powers (Requisition and Evacuation) Act.	1951	State Government
31.	Jaunsar-Bawar Security of Tenures and Land Records Act.	1952	State Government
32.	U.P. Commutation of Rents (Regularization of Proceedings) Act.	1952	State Government
33.	The Requisitioning and Acquisition of Immovable Property Act.	1952	Government of India
34.	U.P. Land Tenures (Regulation of Transfers) Act.	1952	State Government
35.	U.P. Zamindar's Debt Reduction Act.	1952	State Government
36.	U.P. Bhoodan Yagna Act.	1952	State Government
37.	U.P. Board of Revenue (Declaration of Procedures and Validation) Act.	1953	State Government
38.	U.P. Consolidation of Holdings Act.	1953	State Government
39.	U.P. Land Eviction and Rent (Recovery) Act.	1953	State Government
40.	The Kumaun Agricultural Lands (Miscellaneous) Provisions Act.	1954	State Government
41.	U.P. Urban Areas Zamindari Abolition and Land Reforms Act.	1956	State Government
42.	Jaunsar-Bawar Zamindari Abolition and Land Reforms Act.	1956	State Government
43.	U.P. House Sites Flood Affected Areas (Temporary Powers) Act.	1957	State Government
44.	U.P. Government Estates Thekadari Abolition Act.	1958	State Government

<i>Sl. No.</i>	<i>Name of the Act, Rule, Manual, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
45.	Kumaun & Uttarakhand Zamindari Abolition and Land Reforms Act.	1960	State Government
46.	U.P. Imposition of Ceiling on Land Holdings Act.	1960	State Government
47.	U.P. Malguzari Tatha Lagan Par Apatik Adhibhar Adhiniyam.	1962	State Government
48.	U.P. (Nagar Kshetra) Bhoomi Tatha Bhavan Kar Adhiniyam [U.P. (Urban Area) Land & Building Tax Act].	1962	State Government
49.	U.P. Vrihat Jot Kar Adhiniyam (Large Land Holdings Tax) Act.	1963	State Government.
50.	U.P. Land Laws Amendment Act.	1965	-do-
51.	U.P. Public Moneys (Recovery of Dues) Act.	1965	-do-
<i>Manuals</i>			
1.	U.P. Land Records Manual.	...	State Government (Under Land Revenue Act)
2.	Manual of Orders of the Revenue Department (Revenue Manual).	...	State Government
3.	Manual of Land Tenures of the Kumaun Division (Stowell's Manual).	1907	Y. A. Stowell
4.	Consolidation of Holdings Manual & Rules.		
5.	Settlement Manual.	1944	State Government (Under Land Revenue Act)
6.	Famine Relief Code.	1953	State Government (Revised Edition)
7.	Survey Manual		Government of India
8.	Manual for the Revision of Maps and Records.	1952 (Revised Edition)	State Government (Under Land Revenue Act)
9.	Instructions for Survey of Villages.	1928	-do-
10.	Hand book on Land Acquisition.	1957	Board of Revenue
11.	Revenue Court Manual.	—	State Government
12.	U.P. Gaon Samaj Manual.	1953	-do-



<i>Sl. No.</i>	<i>Name of the Act, Rule, Manual, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<i>Rules</i>			
1.	U. P. Taqavi Rules.	1942	State Government (under Section 10 of Land Improvement Loans Act, 1883 and Section 4(1) of Agriculturists Loans Act, 1884)
2.	Guide to Taqavi Law & Rules.		Board of Revenue
3.	Rules and Orders relating to Kumaun Division.	1938	State Government
4.	U. P. Zamindari Abolition and Land Reforms Rules.	1952	State Government (under Z. A. & L. R. Act, 1950)
5.	Rules for the Revision of Maps and Records for the Kumaun Division.	1956	State Government (under the Land Revenue Act)
6.	The Uttarakhand Kumaun Land Revenue Settlement Rules.	1960	-do-
7.	Instructions for settlement of land revenue in the alluvial areas of the State.	1959	State Government. (under Z. A. & L. R. Act, 1950)
8.	U.P. Bhoodan Yagna Rules	1953	State Government
9.	The Requisitioning and Acquisition of Immovable Property Rules.	1953	State Government
10.	Land Acquisition (Companies) Rules	1963	Government of India
11.	U.P. Revenue Recovery Rules.	1966	State Government
12.	U.P. Vrihat Jot Kar Niymavali	1963	-do-
13.	Rules for Collection of Canal Dues (Chapter XI of Revenue Manual).	—	-do-

## Annual Administration Reports

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1.	Report on the Revenue Administration of U.P.	October-September	1848	Board of Revenue
2.	Season & Crop Report.	April-March	1901	Board of Revenue
3.	Annual Resolution on the working of Government Estates.	April-March	1932	Revenue Department

## 7.2 SALES TAX

7.2.1. In Uttar Pradesh, levy of sales tax was started after Independence of the country, through the U.P. Sales Tax Act, 1948, as a measure to raise funds for the development of the State. It is a sales tax as distinct from purchase tax. The seller of goods is responsible for its payment to the State even though he may not have realised any portion of it from the purchaser. Every commodity is taxable at the rate of two per cent at every point of sale except that which is notified for taxation at a single point under section 3A, or 3AA of the Act or is exempted under section 4 of it. The rate of single point tax under section 3A can be up to 10 per cent. A tax on petty dealers would not have been fair and would also have been administratively impractical for realisation. The Act authorises the State Government to exempt dealers whose annual turnover is below certain taxable limit.<sup>11</sup> The rates of tax vary on different items. Items of luxury goods attract a higher rate and necessities a lower one. Some goods of universal consumption such as milk, news-papers, green vegetables have been exempted from the levy of Sales Tax.

7.2.2. An indiscriminate tax on sales made between the various States would have resulted in the obstruction of inter-State trade and commerce. The Government of India, therefore, enacted the Central Sales Tax Act, 1956, to enable easy flow of goods between States. The Act provides for a tax at the rate of three per cent. for registered dealers and ten per cent. for others in such inter-State transactions. Certain goods such as jute, iron and steel, oil seeds and others, have been notified as "Declared Goods" due to their importance in the inter-State trade and commerce. They attract sales tax only at the last point when they are sold to the consumer.

7.2.3. Central Excise also belongs to the same family of taxes. Either for administrative convenience or due to the special nature of certain items, *e.g.*, cloth, sugar and tobacco, they have been taken away by the Government of India from the purview of Sales Tax and transferred to the Central Excise Department. Government of India pay a portion of the tax to the State and the rate is varied from time to time.

### HEADQUARTERS OFFICE

7.2.4. The Sales Tax Administration is under the Finance Department of the State Government. At the apex of the field organization is the Sales Tax Commissioner who is responsible for levy, realisation and administration of the Sales Tax in the State. He is

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11. At present, a dealer whose annual turnover is less than Rs. 12,000 is not liable to tax. This limit is Rs. 25,000 in respect of foodgrains which are subject to purchase tax to minimise its incidence on the poorer section of the population. No such exemption is allowed to a dealer who imports goods liable to tax at single point from outside the State or who is registered under the Central Sales Tax Act and furnishes necessary declarations prescribed under that Act.

assisted at the headquarters by an Additional Commissioner of Sales Tax, a Deputy Commissioner (Vigilance),<sup>12</sup> Special Investigation Branch, Sales Tax, for looking into cases of evasion of sales tax, etc., and other officers.

7.2.5. The Commissioner is also assisted in the routine administrative duties of the Department at the headquarters by two Assistants, who are experienced Sales Tax Officers. One of them looks after general administration, establishment, financial, budget and other miscellaneous matters while the other represents the Department in Sales Tax Courts. Unlike the system of District Government Counsels as exists for the help of other departments in the Revenue and the Criminal Courts of the State, these officers, who are well acquainted with the working of the Department, the Sales Tax Acts and the Rules and the case law developed so far, argue the departmental point of view before the Sales Tax Courts which are presided by Judges (Revision), Sales Tax.

7.2.6. The Head Office consists of three Sections:—

- (1) *Establishment Section* which deals with the establishment of the Head Office and the field offices.
- (2) *Act and Rules Section* deals with the interpretation of the Sales Tax Act and the Rules; scrutiny of Appellate and Revision orders; filing of appeals and revisions; instalments, refunds and remission of sales tax.
- (3) *Budget Section* mainly deals with the budget and financial matters, departmental buildings and stores.

## REGIONAL AND FIELD OFFICES

### *Range Offices*

7.2.7. The State is divided into seven Ranges each under the charge of an Assistant Commissioner (Executive), with headquarters at Agra, Allahabad, Kanpur, Lucknow, Varanasi, Bareilly and Meerut. He is in overall charge of the Sales Tax administration in his Range, supervises the work of the assessing officers and attends to the levy, realisation, assessment and refund of sales tax.

### *Field Offices*

7.2.8. Each Range is further sub-divided into Circles and Sub-Circles. Sales Tax Circles do not coincide with revenue districts. The location of headquarters of a Circle Office depends upon the business which a particular Station covers, and while many places, which are

12. The officer, who belongs to the Indian Police Service is in-charge of a Cell for the Sales Tax Department in the State Vigilance Establishment, which pays attention to the working of the Department in particular with a view to finding out possible sources of corruption and to investigate cases of corruption misconduct and other mal-practices. He works under the administrative control of the Commissioner, Sales Tax, but for technical matters of his work, he is under the overall charge of the Director of Vigilance, U.P. (See Chapter 11.8).

not district headquarters have Circle headquarters, many of the district headquarters are not important enough to have one. Each Circle is under the charge of a Sales Tax Officer who belongs to the gazetted class II service and disposes of assessment cases where the net turnover is more than Rs. 80,000 each in a year. Cases of lesser turnover, but which are above the taxable limit, are disposed of by an Assistant Sales Tax Officer. They make the assessment, supervise realisation and take steps against evasion of tax both under the State as well as the Central Sales Tax Acts.

7.2.9. A Circle which has more than a thousand dealers on an average is split up into Sectors. Each Sector has a Sales Tax Officer with about a thousand dealers. Every Sector has one or more Sales Tax Officers or Assistant Sales Tax Officers depending on the volume of work. The seniormost officer in a Circle or a Sector is usually the officer-in-charge of the Circle or the Sector. It is his job to co-ordinate the work of various officers and he is responsible for the efficient administration of the Sales Tax law within the Circle. Extra officers are posted to Circles where work is heavier than what the usual number of Sector Officers can handle.

7.2.10. Sub-Circle Offices, each under the charge of an Assistant Sales Tax Officer, are provided in important towns where the quantum of work may not be adequate for a Sales Tax Officer but where it is necessary to establish a Sales Tax Office with a view to checking evasion and making local assessment of tax. They are under the administrative control of the Sales Tax Officer of the Circle. The latter or any other Sales Tax Officer of the Circle also deals with the cases which are outside the monetary limits fixed for an Assistant Sales Tax Officer.

7.2.11. The Organization consists of Ranges, Circles and sub-circles as detailed below:—

<i>Name and headquarters of Range</i>	<i>Names of the Sales Tax Circles and their headquarters included in the Range</i>	<i>Sectors in each Circle</i>	<i>Sub-Circle(s) in the Circle</i>	<i>Jurisdiction of each Sales Tax Circle</i>
1	2	3	4	5
1. Agra	1. Agra	4	—	District Agra excluding Tahsil of Firozabad.
	2. Firozabad	1	—	Tahsil Firozabad of district Agra.
	3. Mathura	1	Kosi-Kalan	District Mathura.
	4. Etah	1	—	District Etah.
	5. Mainpuri	1	—	District Mainpuri.
	6. Aligarh	1	—	District Aligarh excluding Tahsils of Hathras and Sikandra Rao.
	7. Hathras	1	—	Tahsils of Hathras and Sikandra Rao of District Aligarh.

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1	2	3	4	5
	8. Farrukhabad	1	—	District Farrukhabad.
	9. Etawah	1	—	District Etawah.
2. Allahabad	1. Allahabad	2	Pratapgarh	Districts Allahabad and Pratapgarh.
	2. Mirzapur	1	Robertsganj	District Mirzapur.
	3. Faizabad	1	Sultanpur	Districts Faizabad and Sultanpur.
	4. Banda	1	Hamirpur	District Banda & Hamirpur.
3. Varanasi	1. Varanasi	2	—	District Varanasi.
	2. Azamgarh	1	Ghazipur	Districts Azamgarh and Ghazipur.
	3. Ballia	1	—	District Ballia.
	4. Deoria	1	—	District Deoria.
	5. Gorakhpur	1	—	District Gorakhpur.
	6. Basti	1	—	District Basti.
	7. Jaunpur	1	—	District Jaunpur.
4. Kanpur	1. Kanpur	7	1. Unnao	Districts Kanpur, Fatehpur & Unnao.
	2. Jhansi	1	2. Fatehpur	District Jhansi.
	3. Orai	1	—	District Jalaun.
5. Lucknow	1. Lucknow	3	Barabanki	Districts Lucknow and Barabanki.
	2. Rae Bareilly	1	—	District Rae Bareilly.
	3. Gonda	1	—	District Gonda.
	4. Bahraich	1	—	District Bahraich.
	5. Sitapur	1	—	District Sitapur.
	6. Kheri	1	—	District Kheri.
	7. Shahjahanpur	1	—	District Shahjahanpur.
	8. Hardoi	1	—	District Hardoi.
6. Bareilly	1. Bareilly	2	—	District Bareilly.
	2. Pilibhit	1	—	District Pilibhit.
	3. Nainital	2	1. Kashipur	Districts Nainital, Almora and Pithoragarh.
			2. Haldwani	
			3. Almora.	
	4. Badaun	1	—	District Badaun.
	5. Rampur	1	—	District Rampur.
	6. Bijnor	1	1. Kotdwara	Districts Bijnor, Garhwal and Chamoli.
			2. Lansdowne	
	7. Moradabad	2	Chandausi	District Moradabad.
7. Meerut	1. Meerut	2	—	District Meerut excluding Tahsils of Hapur and Ghaziabad.
	2. Hapur	1	—	Tahsil of Hapur in District Meerut.
	3. Ghaziabad	1	—	Tahsil Ghaziabad in District Meerut.
	4. Muzaffarnagar	2	—	District Muzaffarnagar.
	5. Saharanpur	1	—	District Saharanpur, excluding Tahsil of Roorkee.
	6. Roorkee	1	—	Tahsil of Roorkee in District Saharanpur.
	7. Dehra Dun	1	Rishikesh	Districts Dehra Dun, Tehri Garhwal and Uttar Kashi.
	8. Bulandshahr	2	—	District Bulandshahr.

## SPECIAL INVESTIGATION BRANCH

7.2.12. The Special Investigation Branch of the Sales Tax Organization consists of eight Sales Tax Officers (SIB) one each posted at Agra, Kanpur, Lucknow, Allahabad, Bareilly, Meerut and Varanasi and one posted with the Deputy Commissioner (Vigilance) at the headquarters of the Commissioner, Sales Tax, as mentioned below:

<i>Sl No.</i>	<i>Name of the officer</i>	<i>Jurisdiction (Sales Tax Circles)</i>
1.	Sales Tax Officer (SIB) Agra.	Agra, Aligarh, Hathras, Mathura, Firozabad, Etah, Farrukhabad, Mainpuri and Etawah.
2.	Sales Tax Officer (SIB) Kanpur.	Kanpur, Jhansi, and Orai.
3.	Sales Tax Officer (SIB) Lucknow.	Lucknow, Rae Bareilly, Gonda, Bahraich, Sitapur, Kheri, Shahjahanpur and Hardoi.
4.	Sales Tax Officer (SIB) Meerut.	Meerut, Hapur, Ghaziabad, Muzaffarnagar, Saharanpur, Roorkee, Dehra Dun and Bulandshahr.
5.	Sales Tax Officer (SIB) Varanasi.	Varanasi, Azamgarh, Ballia, Deoria, Gorakhpur, Basti and Jaunpur.
6.	Sales Tax Officer (SIB) Bareilly.	Bareilly, Pilibhit, Nainital, Badaun, Rampur, Bijnor and Moradabad.
7.	Sales Tax Officer (SIB) Allahabad.	Allahabad, Mirzapur, Faizabad and Banda.

It is their duty to find out on their own initiative or on directions from the Headquarters whether tax has been evaded by any firm in any year and, if so, to unearth it. They carry out investigations in difficult cases and bring the escaped turnover to the books. They are expected to work in co-ordination with the regular assessing staff in Circle offices.

## APPELLATE AND REVISIONARY COURTS

7.2.13. This State has provided an appellate forum for sales tax cases. The first appeal lies to an officer under the administrative control of the department itself. When a dealer feels aggrieved with any order of the assessing authority, he can go in appeal to the Assistant Commissioner (Judicial) Sales Tax, who is a promoted officer from amongst those Sales Tax Officers who have long experience of the administration of the Sales Tax law. There are twenty two such Assistant Commissioners (Judicial) posted at Saharanpur, Muzaffarnagar, Meerut, Bulandshahr, Aligarh, Moradabad, Bareilly, Nainital, Agra, Mathura, Kanpur, Etawah, Lucknow, Faizabad, Varanasi, Allahabad, Jhansi and Sitapur with more than one Assistant Commissioner at certain places depending upon the case work. If a dealer or the Department feels aggrieved with the appellate order, a revision lies to the Judge (Revision), Sales Tax, at Lucknow or the Additional



Judge (Revision), Sales Tax, at Agra, Meerut and Varanasi. Since an assessment order passed by an assessing officer is regarded as a judicial proceeding, Assistant Commissioner (Executive) or the Commissioner, Sales Tax, has no powers to annul that proceeding. The Department can, therefore, in cases where it is felt necessary, go direct in revision against such an order of the assessing authority, as no departmental appeal lies against it.

7.2.14. Judges (Revision) are senior district Judges of the State Higher Judicial Service. Only an officer who is eligible to become a Judge of the High Court of Judicature is eligible for this post in terms of Section 10(i) of the Uttar Pradesh Sales Tax Act, 1948.

7.2.15. A Sales Tax Officer is also posted at Allahabad with nucleus staff to watch the Departmental interest in the writ petitions and other cases filed before the High Court of Judicature. He also looks after cases pending before the Supreme Court of India at New Delhi.

7.2.16. All assessing authorities are empowered, under Section 8 of the Act, to issue a certificate to the Collector of the district concerned, to recover the tax due from a defaulter, as if it were arrears of land revenue. The Commissioner, Addl. Commissioner and the Assistant Commissioner (Executive), can, however, grant stay in payments in cases of genuine hardships. In deserving cases where all attempts for realisation have failed and it is found that a particular dealer is really without assets, the Government are empowered to remit the dues. The Commissioner can, however, remit an amount only up to Rs. 1,000 in individual cases.

7.2.17. The Commissioner appoints Assistant Sales Tax Officers, as also other subordinate staff posted at the headquarters. The Additional Commissioner exercises similar powers in respect of the ministerial staff in Range and Circle offices. The Assistant Commissioners (Executive) act as appointing authority in respect of inferior staff employed under them and in circles and sub-circles. Assistant Commissioners of Ranges go out frequently on tour to inspect the work of officers and Circle offices under their control. They are expected to pay at least two visits during a year to every Circle and Sub-Circle in their Range. Transfer of assessment cases from one assessing officer to another, if a need ever arises is ordered only by the Commissioner or the Additional Commissioner, Sales Tax or the Assistant Commissioners (Executive) within their ranges.

### ADVISORY COMMITTEES

7.2.18. I—There is a State Sales Tax Advisory Committee constituted with the Minister for Finance as Chairman and other Members nominated by the Government according to their experience and association with the trade, industry and commerce in the State. The Committee reviews at regular intervals the working of the Sales Tax administration in the State and considers various suggestions from the Members and others for implementation.

II—Local Sales Tax Advisory Committees also function under the chairmanship of Assistant Commissioner (Executive), Sales Tax, at Range headquarters. They look into the local problems and advise the Department on the steps to be taken for the convenience of dealers in particular and the public in general.

### PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS TAX

7.2.19. As the outlay on the Fourth Five-Year Plan of the State was expected to be more than double that on the third Plan, it had become necessary to explore all sources of revenue. The situation resulting from Pakistan's aggression on the country further added to the State's responsibilities. It was accordingly considered necessary in the larger interest of the community to impose a tax on professions, trades, callings other than agriculture, and employments in the State. With this object in view, the U.P. Professions, Trades, Callings and Employments Act, 1965 (the Uttar Pradesh Vritti, Vyapar, Ajivika Aur Sevayojan Kar Adhiniyam, 1965) was enacted. This tax is levied with reference to the total gross income of a person during the previous year and is payable in addition to any other tax, rate, duty or fee which he is liable to pay under any other law in force in respect of a profession, trade, calling or employment. It is not payable by a person whose total gross income during the previous year does not exceed three thousand and five hundred rupees, as also by members of the Armed Forces of India. The maximum tax payable by any person is Rs. 250 for any financial year. Under the Act and the Rules made thereunder in 1966, the Commissioner and the Additional Commissioner, Sales Tax, at the headquarters and Assistant Commissioners (Executive), Sales Tax, in the Ranges have been declared with effect from May 23, 1966, *ex-officio* Commissioner, Additional Commissioner and Assistant Commissioner respectively for the Professions, Trades, Callings and Employments Tax in addition to their own duties. Similarly, all Sales Tax Officers act as Professions, Trades, Callings, and Employments Tax Officers within their respective Circles in addition to their own duties. They are assisted by whole-time Assistant Professions Tax Officers in districts, who act as Assessing Officers under the Act.

#### Acts, Rules and Manual relating to the Sales Tax Organisation

Sl. No.	Name of Act, Rule or Manual	Year	Authority under which enacted or framed
1.	The U.P. Sales Tax Act.	1948	State Government.
2.	The Central Sales Tax Act.	1956	Government of India
3.	The Sales Tax Laws Validation Act.	1956	-do-
4.	The U.P. Sales Tax Rules.	1948	Section 24 of the Act
5.	The Central Sales Tax (Registration and Turnover) Rules.	1957	Section 13 of the Act by the Government of India
6.	The U.P. Central Sales Tax Rules.	1957	Section 13 of the Act by the State Government
7.	The U.P. Sales Tax Manual, Vol. I. (containing the texts of Acts and Rules).	1962	State Government
8.	The U.P. Sales Tax Manual, Vol. II.	1963	-do-

### 7.3. ENTERTAINMENT AND BETTING TAX DEPARTMENT

7.3.1. The main function of the department is to supervise and collect entertainment and betting taxes in the State. A bill was drafted for taxation on entertainment and betting for the first time in 1924 but it had to be withdrawn due to unfavourable reaction to it of the then Legislative Council. Government, however, later decided to levy a tax on admission to all places of public entertainments in Municipal, Cantonment, Notified and Town Areas and also in respect of certain forms of betting with the enactment of U.P. Entertainment and Betting Tax Act, 1937, which came into force with effect from November 15, 1937. Entertainment tax was initially levied on a sliding scale from 12.5 to 25 per cent. and the Betting Tax was levied at 5 per cent. on all moneys paid or agreed to be paid on totalizator by way of stakes or bets and also on all moneys paid or agreed to be paid as a bet to a licenced bookmaker by a Punter. During the Second World War, a war surcharge of 100 per cent. was levied with effect from June 21, 1943. The rates were further increased in June, 1947, when the incidence of Entertainment Tax rose to about 33 per cent. and the Betting Tax from 5 to 10 per cent. These rates of Entertainment Tax were further raised to about 50 per cent. of the rates of admission with effect from September 23, 1957. It was afterwards decided to give up the system of levying Entertainment Tax on sliding scale, and from February 1, 1959 it was levied at 50 per cent. on each payment of admission to an entertainment which was increased to 60 per cent. with effect from January 1, 1963 and which was further raised to 75 per cent. with effect from November 15, 1965. The tax in respect of circus, dramatic or musical performances and sports continues to be concessional at 12½ per cent. A new tax on joy rides in aeroplanes at the rate of 20 per cent. has been introduced with effect from January 26, 1964.

7.3.2. The mode of collecting Entertainment Tax is (1) by cash in accordance with the returns of the payments for admission to the entertainment and (2) by stamping the tickets with adhesive stamps specially issued by the Government for the purpose. Both these systems have been in vogue till recently, but due to certain administrative difficulties, the tax is being collected now only in cash. The income derived from these Taxes has steadily increased from about Rs. 5 lakhs in the year 1938-39 to about Rs. 340 lakhs estimated for the year 1966-67.

7.3.3. The responsibility for supervision and collection of these taxes was in the early stages left solely to the District Magistrates, who were provided with Entertainment and Betting Tax Inspectors in only a few of the districts for carrying out the work. In order to strengthen and tighten up this supervision and control, the work was initially entrusted to the Inspector General of Registration in March 1947, but afterwards a separate agency under a Chief Inspector, Entertainment and Betting Taxes, was set up in October 1947, who was designated as Commissioner, Entertainment and Betting Tax, in January 1948.

7.3.4. The work relating to the Department is dealt with in the General Administration Department of the Government, which is directly under the Chief Minister. The Commissioner, Entertainment and Betting Tax, who also functions as Commissioner, Sales Tax, U.P., acts as head of the department. The Commissioner discharges his function with the help of two Assistant Commissioners.

7.3.5. The Commissioner, as well as the two Assistant Commissioners, make surprise inspections of the places of entertainment in various districts of the State to ensure that the provisions of the Act are being strictly enforced and that the taxes are not being evaded. In order that the Commissioner, Entertainment and Betting Tax, may be able to discharge his functions efficiently, the Entertainment Tax Inspectors posted in various districts and places of public entertainment falling within the scope of the Act, have been placed under the administrative and disciplinary control of the Commissioner. With a view to checking leakage and evasion of tax, the Assistant Sales Tax Commissioners, Kanpur and Meerut ranges have also been, as a measure to trial, entrusted with the duties and functions of surprise inspections of the places of entertainment in their jurisdictions.

7.3.6. Except for the districts of Pratapgarh and Unnao, where no Entertainment and Betting Tax Inspectors have been posted and where the responsibility of the administration of the Act and collection of taxes still rests with the District Magistrates, the Commissioner, Entertainment and Betting Tax is responsible for these functions with the co-operation and assistance of the District Magistrates concerned who also exercise all the powers of Commissioner under the Act and Rules. Whole-time Entertainment Tax-cum-Cinema Clerks have been posted in important districts. The Entertainment Tax Inspectors carry out inspections of the places of entertainments under their charge and report the irregularities detected by them to the District Officers as well as to the Commissioner, Entertainment and Betting Tax.

#### Acts, Manual and Rules

<i>Sl. No.</i>	<i>Name of Act or Rule</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1.	U.P. Entertainment & Betting Tax Act	1937	State Government
2.	U.P. Entertainment Tax Rules	1937	Section 9(1) of the Act
3.	U.P. Totalizator and Betting Tax Rules	1937	Section 18 of the Act

## 7.4. EXCISE DEPARTMENT

7.4.1. Broadly speaking the activities of the Excise Department could be distributed into three branches. These are (1) Excise Administration in General, (2) Matters relating to Power Alcohol and (3) Prohibition Publicity and Social Uplift. The first two branches deal with the administration of the laws and rules relating to liquor; hemp drugs; possession, sale, inter-provincial import and transport of opium; control and suppression of opium smoking; all drugs declared to be "manufactured drugs under the Dangerous Drugs Act, 1930"; excise duties on medicinal and toilet preparations containing alcohol, opium, Indian hemp and other narcotic drugs and narcotics; tax on the sale of motor spirit and diesel oil; control on molasses and Power Alcohol. Within the framework of the accepted goal of ultimate prohibition in the State, which is pursued by the third Branch, the Department is, by and large, a major revenue-raising organ of the State.

7.4.2. When the country came under the sway of the East India Company, taxes on the trade of spirituous liquor in some parts of the country were being realised as "Sayar" rent by zamindars. The collection of this tax was taken over by the Government by a general notification in 1790 which was followed by the Abkari Regulation of 1791, the first Excise law in British India. Upon the suggestion made by the Board of Revenue in 1798, unlicensed sale of Ganja, Charas, opium, madak (prepared opium), Bhang and Majum was also prohibited and duty on their sale was imposed by Regulations V of 1800. Just as there were landlords for the realisation of land revenue, the agency of farmers or contractors was utilised for realisation of taxes on excisable articles. The right to manufacture and sell liquor in a specified area was settled through auction or tenders. The contractor was free to establish as many liquor shops as he liked in his area. While drunkenness increased, Government gained only a negligible amount of revenue under that system. In 1862 Government decided to replace it by establishing an Excise Department in the State and Central Distilleries at important places for manufacture of liquor which was issued to retail vendors on payment of a tax.

7.4.3. The Department had at that time, no separate entity. The only full time officer was an Excise Commissioner working under the control of the Board of Revenue. The administrative machinery was run by the district revenue and police staff. Towards 1898, some naib-tahsildars were designated as Excise Inspectors for attending exclusively to excise work.

7.4.4. An important event in the history of the Department was the appointment of the Indian Excise Committee in 1905. It was as a result of the recommendations of this Committee that four posts of Assistant Excise Commissioners and forty-six posts of Excise Inspectors were sanctioned in 1908 for this State, as a beginning for



the establishment of a self-contained independent executive branch of the Department. The Excise administration in the district, however, continued to be with the Collector. The Central Distillery system was replaced by the Contract Supply System, under which the exclusive privilege of supplying country spirit or hemp drugs at fixed rates to a particular tract was granted for a certain period to a contractor, who was selected by calling tenders quoting the rates at which excisable articles were to be supplied at the State bonded warehouses in the area. It was from these warehouses that the Supply Contractors supplied excisable articles to the licensed vendors at fixed rates. The licensed retail vendors were selected by auction.

7.4.5. As a result of Reforms of 1919 Excise became a "transferred" subject. The Provincial Legislature appointed a Committee in 1921 to suggest ways and means to implement more vigorously the policy of increased temperance. This Committee made far reaching recommendations for the control of production, distribution and consumption of excisable articles, a few of which, as were accepted by the Government, were substitution of auction system by the Graduated Surcharge System; curtailment of the hours of sale; enormous reduction in the number of excise shops; introduction of sealed bottle system and constitution of District Excise Licensing and District Excise Advisory Committees. Substitution of auction system by surcharge system, however, led to a decline in excise revenue. It was, therefore, revived in 1932-33 resulting in appreciable increase of income.

7.4.6. The introduction of provincial autonomy in 1937 gave a different turn in the activities of the Department. To redeem an old pledge the Congress Ministry started implementing the policy of prohibition in selected areas. The number of excise shops was reduced by 20 per cent. State-managed excise shops were opened in certain cities. Total prohibition was introduced in the districts of Bijnor, Badaun, Etah, Farrukhabad, Jaunpur and Mainpuri, but after the resignation of the Congress Ministry in 1940 the old order was revived. The Second World War and consequent socio-economic upheavels led to a phenomenal rise in income and which was Rs. 1,19,73,776 in 1939-40 rose to Rs. 7,05,97,707 in 1947-48.

7.4.7. When popular Government was formed in 1946 it revisited the pledge of total prohibition in the entire State as its goal. Charas was banned throughout Uttar Pradesh from 1946-47. A beginning of area-wise prohibition was made in 1947-48 with seven districts, viz., Badaun, Etah, Farrukhabad, Jaunpur, Mainpuri, Pratapgarh and Sultanpur. These were followed by the districts of Fatehpur, Kanpur, Rae Bareilly and Unnao. By 1949, prohibition was also extended to the religious towns of Vrindaban in Mathura District, Hardwar in Saharanpur District and Rishikesh in Dehra Dun District. A vigorous and sustained propaganda for mobilizing and educating public opinion against the use of intoxicants was also launched by establishing a Prohibition Publicity and Social Uplift Organization at the headquarters of Government in 1947 under a



State Prohibition Officer. The other measures taken in this direction were for reducing the number of retail shops or public bars, restricting the hours of sale, enhancing the excise duty on intoxicants, prohibiting the use of Ganja from April 1956, and that of opium from July 1959. The yearly loss in excise revenue as a result of these measures was to the tune of about Rs. 2.68 crores but the tightening of supervision on the staff and licensees, and other taxation measures contributed to its rise to Rs. 7,60,36,794 in 1960-61 and Rs. 8,54,19,424 in 1961-62.

7.4.8. The tight position of finances on account of the implementation of five year Plans and the emergent situations caused by the breaking of hostility with China, however, made it necessary for the State Government to revise their policy of prohibition. Prohibition was introduced in the years 1947 to 1949 in eleven districts and three religious towns mentioned earlier, but it was withdrawn with effect from December 1, 1962. On account, however, of agitation raised by the local public, it was reintroduced with effect from April 1, 1963 in these three religious towns and the shopless belt along the Ganga at Varanasi.

7.4.9. The independence of the country and the progressive policy of prohibition had created a number of new problems for the Department. One of the problems was the flagrant violation of excise laws on account of mistaken ideas of fundamental rights. There was a marked rise in crimes relating to narcotics on account of prohibition of Ganja, Charas and Opium. Smuggling of Ganja and Charas from Nepal became a menace. Illicit distillation assumed virulent form. Misuse of denatured spirit and spirituous medicinal preparations, which were unknown some twenty years back, as a substitute for liquor became a headache to the excise administration. Supervision at the district level has to be further tightened through Superintendents of Excise posted in a few districts for the first time in 1959.

7.4.10. An important assignment entrusted to the Department in 1939 was the administration of and the collection of tax on the sale of motor spirit under the U.P. Sales of Motor Spirit Taxation Act, 1939. Diesel oil was brought within the ambit of the Act during 1961 resulting in an increase of revenue of about Rs. 90 lakhs during 1961-62 over the receipts of Rs. 46,22,533 during 1960-61 under this head. The other major activity of the Department started during the last War was the formulation of the scheme regarding power alcohol, which now forms an important industry of the country. Molasses forming the base for the manufacture of alcohol was controlled under the war-time Defence of India Rules. This measure was later replaced by the U.P. Molasses Control Act, 1947. Subsequently the development of power alcohol industry was taken over by the Government of India in the public interest and the Indian Power Alcohol Act, 1948 was enacted which empowered the Government of India to enforce the provisions of the Act. The administration of the scheme, the Act and the rules made thereunder,

were, however, the responsibility of the State Excise Department. This Act was repealed in 1963.

7.4.11. At the Secretariat level, the subject of Excise in earlier periods, formed part of "Separate Revenue" consisting of assessed taxes, income tax, licence taxes, Excise and Stamps, and was handled in the Revenue Department. In 1885 the subjects falling under "Separate Revenue" were transferred to Finance Department consequent upon the creation of a new post of Finance Secretary. 'Excise' thenceforth formed an integral part of the Finance Department till 1938, when as a result of the reorganization of the Secretariat, a new Department of Rural Development and Excise was formed under the Secretary, Industries, by transferring certain subjects from Industries and Agriculture Departments and of Excise from Finance Department. The identity of the Excise Department was, however, made more marked in 1943 by making it a distinct department in the Industries Branch. For administrative facility at Government level, the subject is put under charge of any one of the Secretaries though the Department continues to be a part of Industries Secretary's Branch and combines with it the Industries (C) Department.

7.4.12. The general lines of excise policy for the guidance of Provincial Governments as enunciated by the Government of India in their Resolution dated September 7, 1905, were as under:

"The Government of India have no desire to interfere with the habits of those who use alcohol in moderation and it is necessary in their opinion to make due provision for the needs of such persons. Their settled policy, however, is to minimise temptation to those who do not drink and to discourage excess amount to those who do, and to a furtherance of this policy, all consideration of revenue must be absolutely subordinated. The most effective method of furthering this policy is to make the tax on liquor as high as it is possible to raise it without stimulating illicit consumption to a degree, which would increase instead of diminishing the total consumption and without driving people to substitute deleterious drugs for alcohol, or a more less harmful form of liquor. Subject to the same consideration, the number of liquor shops should be restricted as far as possible and their location should be periodically subject to strict examination with a view to minimise the temptation to drink and to conform as far as is reasonable to public opinion. It is also important to secure that the liquor which is offered for sale is of good quality and not necessarily injurious to health."

7.4.13. Except for a brief period in 1938-39 when the Congress Ministry was in office, this policy remained in operation in the State till 1946, when the promotion, enforcement and carrying into effect the policy of prohibition of intoxicating drinks and drugs, except for medicinal purposes, became a fundamental tenet. However, because of various administrative and financial considerations, the policy in vogue now is that while considerations of revenue are to be kept in

subordination to the promotion of temperance, every endeavour should be made to ensure to the State as large a share as possible of the profits accruing from the sale of excisable articles by methods which admit of the most efficient supervision and control.

7.4.14. Under the Constitution of India, production, manufacture, possession, transport, purchase and sale of intoxicating liquor; taxes on the sale of motor spirit; duties of excise on (a) alcoholic liquors for human consumption and (b) opium, Indian hemp and other narcotic drugs and narcotics are State subjects. Duties on medical and toilet preparations containing the above substances and on alcoholic liquors which are not for human consumption are in the Union legislative list, though they are collected by the State Government under Article 268 of the Constitution. Power Alcohol industry has been declared a Central subject in the public interest. Cultivation, manufacture and sale for export of opium is a Central subject but other matters relating to opium and dangerous drugs are of concurrent jurisdiction.

7.4.15. The Excise Department consists of a Secretariat, a Sub-ordinate Office, viz., Office of the Excise Commissioner, U.P., at Allahabad and the Prohibition Publicity and Social Uplift Wing at the headquarters of the State Government at Lucknow.

7.4.16. The Secretariat staff comprises of:

Secretary	.. 1
Deputy or Under Secretary (who also holds charge in Industries Department)	.. 1
Superintendent (who is also Superintendent of Industries (C) Department)	.. 1

7.4.17. The main agency of the Government for implementing their excise policy is the Excise Commissioner, who carries out the administration of Excise laws and rules and of the policies as are laid down by the Government from time to time. He acts as Power Alcohol Authority for Uttar Pradesh under the Indian Power Alcohol Act, 1948 and as Molasses Controller under the U.P. Molasses Control Act, 1964. He is also *ex-officio* Director of the Rampur Distillery in which the State Government have shares. He has been designated as Prohibition Commissioner and also acts as a titular head of the Prohibition Publicity and Social Uplift Wing, which actually functions under a State Prohibition Officer with headquarters at Lucknow under the direct control of the State Government.

#### A. ORGANIZATION OF THE EXCISE COMMISSIONER'S OFFICE, U.P., ALLAHABAD

7.4.18. The Excise Commissioner, U.P., is assisted in his work at the headquarters for 'General Excise' work by his Personal Assistant who is usually an Assistant Excise Commissioner or an officer of Uttar Pradesh Civil Service (Executive Branch), and by another Assistant Excise Commissioner who is Incharge of the Excise Intellig-

ence Bureau. A Technical Officer (Pharmacies and Distilleries) advises him in technical matters relating to distilleries and pharmacies. Assistant Excise Commissioner (Production), Assistant Excise Commissioner (Distribution) and Assistant Excise Commissioner (Molasses) help him in the work connected with the production and distribution of Power Alcohol and for that connected with the control over molasses. Brief particulars of these sections are as follows:—

## I. GENERAL SECTION

The overall supervision on the section is of the Personal Assistant to the Excise Commissioner. The Section deals with generally matters relating to establishment, accounts and stores.

## II. EXCISE INTELLIGENCE BUREAU

The overall supervision on this Bureau is of the Assistant Excise Commissioner, E.I.B. The main work of the Section is to collect and collate information regarding excise crimes and criminals, both within and outside the State and their *modus operandi*; to disseminate the same for proper control of crimes to detective officers of this State or other States, to deal with complaints in respect of departmental officers and conduct other enquiries, to maintain history sheets of habitual offenders and to co-ordinate detective work by various agencies and matters connected with the levy of excise duties on medicinal and toilet preparations.

Three Excise Inspectors attached to the Bureau help in detection, investigation and prosecution of cases and in other legal work of the Department. Government is also confronted with ever-increasing problems attendant on manufacture and misuse of spurious spirituous medicinal preparations, going by the name of 'tinctures'. This branch of work is supervised by the Technical Officer at the Headquarters Office.

The Bureau looks to the administration of the various excise Acts and Rules, mentioned below:

### 1. *The U.P. Excise Act, 1910.*

The Act provides for the import, export, transport, manufacture, sale and possession of liquor which includes Tari (Toddy), all liquids consisting of or containing alcohol and intoxicating drugs including Ganja, Charas and Bhang; levy of excise duty on excisable articles; search and arrest of an excise offender by the officers of the Excise, Police and Land Revenue Departments; and inspection of places of manufacture of intoxicants and licensed excise shops. Breaches of licence conditions can be compounded by the officers of the Excise Department not below the rank of an Assistant Excise Commissioner, District Excise Officer and Collector of the district. (The rules framed by the Government and the Excise Commissioner under the provisions of the Act are contained in Excise Manual, Volume I.) The Act also provides for pro-

hibition of possession, import, export and transport of intoxicants there being no separate prohibition Act in the State.

2. *The Opium Acts of 1857 and 1878 and the Opium Laws (Amendment) Act, 1957.*

These are Central Acts. The first provides for the prevention of illicit cultivation of poppy and regulates its cultivation and manufacture of opium. The misuse of poppy heads as substitute of opium is checked through the U.P. Poppy Head Rules, 1961. The second prohibits possession, sale, transport, inter-provincial import or export of opium except as provided by the Act or rules framed thereunder, empowers the State Government to levy duties on the sale of opium by retail, and provides for detention and search by the officers of the Excise, Police, Customs, Central Excise, Narcotics Drugs Control and Revenue Departments of any person whom they have reason to believe to be guilty of any offence and for punishments in cases of infringement of the provisions of the Act and rules. Offences under the Act are cognizable and non-bailable. (Rules on the subject are contained in Excise Manual, Volume III.).

3. *U.P. Opium Smoking Act, 1934.*

The Act was promulgated with the object of securing the ultimate prohibition of Opium Smoking. It provides for the registration of Opium Smokers within a specified period (registration closed on September 30, 1953) and house searches, and prohibits smoking, or manufacture or possession of prepared opium by unregistered opium smokers. (The U.P. Opium Smoking Rules, 1935, framed under the Act are contained in Excise Manual, Volume III).

4. *The Dangerous Drugs Act, 1930.*

This is a Central Act enforced with a view to implementing the international decision of contracting nations of the Geneva Convention in respect of suppression of traffic and abuse of dangerous drugs, i.e., coca leaf, hemp, and opium and all manufactured drugs. The Act provides for the punishment for import into and export from India of such drugs, for punishment for cultivation of poppy and manufacture of opium, the inter-State import or export, transport, possession and sale of manufactured drugs other than prepared opium or coca leaf and manufacture of medicinal opium or any preparation of morphine, diacetylmorphine or cocaine except as provided in the rules framed under the Act. Officers of the Excise Central, Excise Narcotics, Customs, Land Revenue and Drugs Control Departments are authorised to detain and search any person in open in connection with the offences under the Act and seize dangerous drugs which are recovered in these cases. House searches without warrant can be conducted by the officers of



the above departments above the rank of a peon or constable, authorised by the State Government or the Central Government in this behalf. Offences under the Act are cognizable and non-bailable. (Rules framed under the Act are contained in the Excise Manual, Volume III).

5. *The Spirituous Preparations (Inter-State Trade and Commerce) Control Act, 1955 and Uttar Pradesh Spirituous Preparations (Inter-State Trade and Commerce) Control Rules, 1957.*

This Central Act and the Rules made thereunder provide for the control of inter-State trade and commerce in spirituous medicines and other preparations and for import of these preparations in the State under a licence from the Collector of the district. The Act and the Rules were enforced in this State from September 2, 1957.

6. *The Medicinal and Toilet Preparations (Excise Duties) Act, 1935 and The Medicinal and Toilet Preparations (Excise Duties) Rules, 1956*

These Central Act and Rules provide for the levy and collection of excise duties on and for control on manufacture of medicinal and toilet preparations containing alcohol, opium, Indian hemp or narcotic drugs or narcotics. The rules which have come into force in Uttar Pradesh from April 1, 1957 provide for two kinds of manufacturing licences, viz., (1) Bonded Manufactory Licence granted by the Excise Commissioner in which manufacture of such preparations is allowed under the direct supervision of excise staff with alcohol stored under bond without pre-payment of duty, (which is collected on the finished goods at the time of issues from the warehouse) and (2) Non-Bonded Manufactory Licence granted by the Collector of a District in which duty paid alcohol is allowed to small manufactories. Offences under the Act and Rules can also be compounded for a sum of money not exceeding two thousand rupees by the Excise Commissioner or any excise officer empowered by him.

### III—POWER ALCOHOL SECTION

This Section controls the production and distribution of power alcohol by distilleries in the State by allocating to them molasses, a by-product of sugar factories, and deals with the taxes collected on the sale of motor spirits and diesel oil. It is engaged in supplying all the available molasses for its conversion into industrial alcohol for running alcohol based industries. The overall supervision on this Section is of the Assistant Excise Commissioner (Distribution).

The Acts and Rules administered through it are given below:—

1. *The U.P. Molasses Control Act, 1964.*

The Act provides for regulating the supply of molasses by



sugar factories to distilleries at controlled prices for the vital industry of alcohol, and for ensuring its proper standard and disposal. The Excise Commissioner acts as "Molasses Controller". Although the Government and the Molasses Controller can lay down the price of molasses, regulate the manner of its supply and storage and release it for sale to trade, Government have constituted a Molasses Control Board to advise the Molasses Controller in the fixation of price of molasses and general principles about its sale and release.

2. *U.P. Sales of Motor Spirit Taxation Act, 1939 and U.P. Sales of Motor Spirit Taxation Rules, 1939.*

The Act provides for the levy of Sales Tax on motor spirit and after its amendment in 1961 on Diesel Oil. Every retail dealer of these commodities has to get himself registered with the Collector of the District. Any officer of the revenue department not below the rank of a Tahsildar or of the Excise Department not below the rank of an Excise Inspector can search any building, vehicle or place where it is believed that any motor spirit and diesel oil is kept or concealed.

### REGIONAL AND FIELD OFFICES

7.4.19. There are at present eleven Regional Offices each under the charge of an Assistant Excise Commissioner as under:—

<i>Regions with Headquarters</i>	<i>Jurisdiction (Districts)</i>
1. Meerut	Meerut, Muzaffarnagar, Saharanpur and Bulandshahr.
2. Moradabad	Moradabad, Rampur, Nani Tal, Almora and Pithoragarh.
3. Dehradun	Dehra Dun, Pauri-Garhwal, Tehri-Garhwal, Chamoli, Bijnor and Uttar Kashi.
4. Bareilly	Bareilly, Budaun, Shahjahanpur, Pilibhit and Kheri.
5. Agra	Agra, Mathura, Aligarh, Etawah, Mainpuri and Etah.
6. Jhansi	Jhansi, Hamirpur, Jalaun and Banda.
7. Lucknow	Lucknow, Sitapur, Hardoi, Bara Banki and Rae Bareli.
8. Gorakhpur	Gorakhpur, Gonda, Deoria, Basti and Bahraich.
9. Allahabad	Allahabad, Faizabad, Pratapgarh, Mirzapur and Sultanpur.
10. Varanasi	Varanasi, Ghazipur, Ballia, Azamgarh and Jaunpur.
11. Kanpur	Kanpur, Unnao, Farrukhabad and Fatehpur.

7.4.20. There is also an Assistant Excise Commissioner with headquarters at Allahabad in charge of Special Squads with jurisdiction extending to whole of the State. Subject to the general control and directions of the Excise Commissioner, the administration of the Excise Department in a district in respect of its fiscal policy and prevention and prosecution of excise crimes is under the charge of the Collector of the district, who in particular is responsible for settlement of the number and location of shops to be licensed, selection of licensees, collection of Excise revenue and maintenance of statistics and accounts. The Collector delegates his executive authority to a senior deputy collector who is designated as District Excise Officer. The Assistant Excise Commissioner of the Range who was also designated in 1967 as Additional District Excise Officer for the districts in his range, acts as a liaison officer between the District Officer and the Excise Commissioner and is responsible for the efficient administration of the Department in all branches other than those entrusted to the District Officer, such as supervision over distilleries, bonded warehouses, bonded manufactories, mixing depots, etc., and over almost all functions of a technical nature which are to be looked after by the Excise staff under him, *viz.* Superintendents of Excise, Excise Inspectors, Excise Clerks, Sub-Inspectors of Excise, Tari Supervisors and Excise Peons. Except for the technical supervision exercised by the Asstt. Excise Commissioners of Dehra Dun and Moradabad Regions, the excise staff in the five hill districts of Pauri Garhwal, Chamoli, Almora, Pithoragarh and Naini Tal is directly under the control of the District Officers concerned.

7.4.21. For regular preventive duties in important districts, there exist Sub-Offices each under a Superintendent of Excise for the district at Meerut, Muzaffarnagar, Saharanpur, Dehra Dun, Moradabad, Naini Tal, Bareilly, Shahjahanpur, Agra, Aligarh, Jhansi, Lucknow, Varanasi, Gorakhpur, Azamgarh, Deoria, Allahabad and Faizabad. He serves as a liaison officer between the District Excise Officer and the Excise Inspectors in the district and is responsible for giving effective guidance to the latter in the matter of Excise auctions and exercises control over recovery of excise revenue and over the investigation and prosecution in excise cases.

7.4.22. As Uttar Pradesh is specially vulnerable to smuggling of Charas, Ganja and opium, five special squads for prevention of illicit traffic in these drugs have been set up, each under charge of a Superintendent of Excise, with overall charge of an Assistant Excise Commissioner at Allahabad. Districts falling within the jurisdiction of each Zone are as below:

<i>Offices of Superintendents of Excise, Squads</i>	<i>Headquarters</i>	<i>Jurisdiction</i>
1. Superintendent of Excise I/C Squads, Western Zone	Aligarh	Aligarh, Agra, Mathura, Bulandshahr, Meerut and Muzaffarnagar.
2. Superintendent of Excise I/C Squads, Southern Zone.	Jhansi	Jhansi, Banda, Hamirpur, Jalaun, Etawah and Kanpur.

<i>Offices of Superintendents of Excise, Squads</i>	<i>Headquarters</i>	<i>Jurisdiction</i>
3. Superintendent of Excise I/C Squads, Northern Zone	Moradabad	Almora, Naini Tal, Kheri, Bareilly, Shahjahanpur, Pilibhit, Rampur, Moradabad, Bijnor, Dehra Dun and Saharanpur.
4. Superintendent of Excise I/C Squads, Eastern Zone.	Allahabad	Azamgarh, Ballia, Ghazipur, Varanasi, Mirzapur, Allahabad and Faizabad.
5. Superintendent of Excise I/C Squads.	Gorakhpur	Gorakhpur, Deoria, Basti, Gonda, Bahraich Bara Banki and Sitapur.

7.4.23. A revenue district is divided into Excise Circles each under an Excise Inspector. In important circles, the Senior Excise Inspector is helped by one or more junior Inspectors. Excise Inspectors are posted for the supervision of excise shops for prevention and prosecution of excise crimes, charging duty on Molasses under the U.P. Molasses Control Act, 1947, as also to the charge of Distilleries, Bonded Warehouses, Bonded Manufactories and Power Alcohol Petrol Mixing Depots. They are assisted by Tari Supervisors, whose duties in the matter of collection and sale of Tari (Toddy) liquor are (a) to put distinctive marks on the trees permitted to be tapped; (b) to prevent and detect illicit tappings; (c) to see that rules and conditions are duly observed; and (d) to ascertain the rent charged by owners of trees, selling price of each vendor and the average produce of trees in different localities. An Excise Inspector entrusted with prevention work is required to inspect minutely the working of all Excise arrangements and to enquire into the nature and extent of all suspected evasions of the law. He is not directly concerned with the collections of the excise revenue but it is his duty to watch the sale of intoxicants and the revenue collections and to bring to the notice of the Collector or District Excise Officer any neglect of orders or accumulation of arrears. The crimes detected by an Excise Inspector are dealt with by regular law courts of the districts. The enforcement of prohibition and detection of excise crimes in Vrindaban town is the responsibility of the Police Department while in Hardwar and Rishikesh, the detection work is looked after by the excise inspectors with the preventive charge of the towns. The lowest functionary of the Department is an Excise Peon who helps an Excise Inspector in his preventive and detective duties in distilleries, bonded warehouses, bonded manufactories and mixing depots and in other miscellaneous jobs. Excise Peons also perform executive duties in making searches under the provisions of excise laws in cases where infringements of the laws are apprehended.

## B. PROHIBITION PUBLICITY AND SOCIAL UPLIFT ORGANIZATION

7.4.24. This Organization, under the charge of the State Prohibition Officer at the headquarters of the Government has the task

of educating the public against the use of intoxicants by means of mass contacts and social pressures through caste panchayats, etc. It has six Regional Prohibition and Social Uplift Officers, with headquarters and areas of jurisdictions, as below:

<i>Range Headquarters with addresses</i>	<i>Jurisdiction</i>
1. Allahabad (10-A Mumfordganj)	Allahabad, Banda, Fatehpur, Hamirpur, Jalaun, and Jhansi.
2. Gorakhpur (Golghar, Gandhi Nagar)	Ballia, Basti, Bahraich, Deoria, Faizabad, Gonda and Gorakhpur.
3. Kanpur (112/281, Swarupnagar)	Agra, Aligarh, Etah, Etawah, Farrukhabad, Kanpur, Mainpuri and Mathura.
4. Lucknow (27, Ashoka Marg)	Barabanki, Hardoi, Kheri, Lucknow, Rae Bareilly, Sitapur, Shahjahanpur and Unnao.
5. Moradabad (41, Deputy Ganj)	Almora, Bareilly, Badaun, Bulandshahr, Bijnor, Chamoli, Dehra Dun, Garhwal, Muzaffarnagar, Moradabad, Meerut, Naini Tal, Pilibhit, Pithoragarh, Rampur, Shaharanpur, Tehri Garhwal, and Uttar Kashi.
6. Varanasi (B-27/70 Durgakund)	Azamgarh, Ghazipur, Jaunpur, Mirzapur, Pratapgarh, Sultanpur and Varanasi.

The Range Officers are assisted by Chief Prohibition Organizers at Lucknow and Moradabad, and twenty-three Prohibition Organizers in various other districts, fifty honorary 'Pracharaks' who usually work under the guidance of District Excise Officers. Range Officers help the Organization in making contacts with the public.

7.4.25. While powers to fix rates of excise duty, to declare what classes of officers shall exercise powers under various Acts, to remit excise revenue, etc., and make rules, are exercised by the Government, they have delegated to the Excise Commissioner most of their other powers, the more important of which are in respect of licensing the sale, import, export and transport of excisable articles, execution of contracts and other instruments for sums not exceeding Rs. 20,000 and remittance of excise revenue upto Rs. 2,000; licensing of distilleries, control over the production and supply of Power Alcohol, general control over the working of the U.P. Molasses Control Act, and hearing of appeals against the orders passed by the Collectors or the Assistant Excise Commissioners under the various excise, power alcohol, motor spirit and molasses Acts. Appeals against the orders of the Excise Commissioner are decided by the Government. Assistant Excise Commissioners have been likewise, delegated with powers to facilitate day-to-day working of the Department.

7.4.26. The State Prohibition Officer exercises the powers of a

head of department in respect of budgeting and control over expenditure in respect of Prohibition, Publicity, and Social Uplift.

7.4.27. The general control of the Excise Commissioner over the activities of the Department goes along side with that exercised by the Collectors of the districts in the matters of revenue collection and prevention of excise crimes. Although overall control vests with the State Government and the Excise Commissioner, the distribution of general location of retail shops in a district is determined by the Collector except that in areas for which Licensing Boards have been constituted by the State Government under Section 10(2) of the Excise Act, this power is exercised by such a Licensing Board. In Cantonment areas the Collector exercises this power only with the consent of the Commanding Officer, and in all other areas the Collector is guided by the advice of the District Excise Advisory Committees. Subject to the powers of these Boards and to the recommendations of these Committees, the Collector is responsible for settlement of the number and location of shops to be licensed within the district, licensing of vendors, maintenance of district statistics and accounts, judicial work in connection with excise administration; grant of rewards for detecting or preventing the infringement of excise laws; control over the detective work of Police and Revenue Officers; proceedings against landholders, lekhpals, chaukidars, etc., and for matters relating to the Licensing Boards and Committees.

7.4.28. The following classes of officers exercise powers and perform executive duties in the administration of the Department:

(1) Officers of the Land Revenue Department, including Divisional Commissioners, Collectors, District Excise Officers, Sub-Divisional Officers and tahsildars.

(2) Officers of the Police Department including all ranks from the Superintendent of Police to the Village Chaukidar in relation to the prevention and detection of offences.

(3) Officers of the Excise Department, including Assistant Excise Commissioner, Superintendents of Excise, Excise Inspectors, Excise Clerks, Tari Supervisors and Excise Peons.

7.4.9. For the trial of excise offenders one of the Stipendiary Magistrates is designated as Excise Magistrate and he tries all the cases in the district relating to excise offences.

#### BOARDS, COMMITTEES AND CONFERENCES

7.4.30. The important Central and State Boards, Committees and Conferences are:

##### 1. *All India Narcotics Conference*

These Conferences are convened from time to time by the Government of India for devising ways and means to implement the policy of prohibition of narcotics to fulfil their international commitments.

## 2. *Zonal Narcotics Conferences*

In pursuance of the decisions of the All India Narcotics Conference, 1956 and for tackling the problem of inter-State smuggling of narcotics, India has been divided into three Zones, namely the North Western Zone, Eastern Zone and Southern Zone.

U.P. falls in North Western and Eastern Zones. The meeting of these two zones are held half-yearly. Representatives of the Excise and Police Departments of various States and those of Central Narcotics Department participate in these Zonal Conferences.

## 3. *Power Alcohol Tank Wagon Committee*

The meetings of the Committee are held at Calcutta every month in connection with the allocation of tank wagons for power alcohol. It is attended by the representatives of Excise Departments of Bihar, Delhi, Punjab and Uttar Pradesh and of the Railways.

## 4. *Molasses Tank Wagon Committee*

The Committee holds its meeting quarterly in connection with the allocation of tank wagons for molasses. The meeting is attended by the representatives of Excise Departments of Bengal, Bihar, Punjab and Uttar Pradesh and of the Railways.

## 5. *Standing Committee of Legislature on Excise*

This Committee with the Excise Minister, as its Chairman, holds meetings from time to time to advise Government in deciding various problems relating to Excise in the State.

## 6. *Licensing Boards and Excise Advisory Committees*

### (A) *Licensing Boards*

A Licensing Board for determining the distribution or location of retail shops is constituted by the State Government for any municipality or for the rural area of any district. The Board has jurisdiction over licences of the following kinds:

- (i) Shops for the retail sale of country spirits, Hemp drugs, Opium and Tari (Toddy) except as regards selection of licensees where the licences are allotted by auction.
- (ii) Shops for the retail sale of foreign liquor for consumption "on and off" the premises.

### (B) *Excise Advisory Committees*

Excise Advisory Committees are appointed in each municipality and in each district excluding Municipal Corporation, Municipal and Cantonment areas, provided no such Committee is appointed for any area for which a licensing board has been constituted.

## 7. *State Prohibition Board*

Government in 1958 constituted a State Prohibition Board, with



the Excise Minister as its Chairman and the State Prohibition Officer as its Secretary, to educate and organise public opinion against the use of alcohol and drugs and to co-ordinate the work of various social service agencies wholly or partly devoted to the promotion of temperance. Other members of the Board are important persons of public including some M.L.As., M.L.Cs. and representatives of Industries, Development, Labour, Education, Co-operative and Excise Departments. The Board generally meets twice a year.

#### 8. *Molasses Control Board*

The Board consists of the Controller (i.e., the Excise Commissioner) who is the *ex-officio* Chairman, representatives of Government, Sugar Factories and distilleries, and the Assistant Excise Commissioner (Molasses) who is the *ex-officio* Secretary of the Board. It advises the Government on matters concerning the grading and marketing of molasses, the prices at which molasses are to be sold and generally on their allocation to distilleries and for other purposes.

#### 9. *Prohibition Boards*

These Boards, which were constituted in the districts and towns where prohibition was in force, advised on the methods of improving detection and prevention of excise crimes. They are still continuing there for the said purposes.

#### 10. *Temperance Societies*

These societies have been constituted in the districts with public and social service agencies to promote the cause of temperance.

#### Acts, Rules, Regulations and Manuals pertaining to Excise Department

Sl. No.	Name of Act, Rule, Regulation, Manual etc.	Year	Authority under which enacted or framed
<i>Acts</i>			
1.	Opium Act, 1857.	1857	Government of India
2.	Opium Act, 1878.	1878	-do-
3.	Opium Laws (Amendment) Act.	1957	State Government
4.	U.P. Excise Act 1910.	1910	-do-
5.	Dangerous Drugs Act, 1930.	1930	Government of India
6.	U.P. Opium Smoking Act, 1934.	1934	State Government
7.	U.P. Sales of Motor Spirit Taxation Act, 1939.	1939	-do-
8.	Medicinal and Toilet Preparations (Excise Duties) Act, 1955.	1955	Government of India
9.	The Spirituous Preparations (Inter State Trade and Commerce) Control Act, 1955.	1955	-do-

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, Manual etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
10.	U.P. Molasses Control Act. <i>Rules, Regulations and Manuals</i>	1964	State Government
11.	U.P. Poppy Head Rules	1961	State Government
12.	U.P. Opium (Restriction on Oral Consumption) Rules, 1955.	1955	State Government
13.	U.P. Smoking Rules.	1935	-do-
14.	U.P. Sales of Motor Spirit Taxation Rules, 1939.	1939	-do-
15.	U.P. Molasses Control Rules.	1959	-do-
16.	Medicinal and Toilet Preparations (Excise Duties) Rules, 1956.	1956	Government of India
17.	U.P. Spirituous Preparations (Inter State Trade and Commerce) Control Rules, 1957.	1957	State Government
18.	U.P. Excise Manual Volume I containing the U.P. Excise Act 1910 and rules made thereunder.	1962	-do-
19.	U.P. Excise Manual Vol. II containing prescribed forms under the rules framed under U.P. Excise Act.	1962	State Government
20.	U.P. Excise Manual Vol. III containing the Opium Act 1878, Opium Act 1957, Dangerous Drugs Act 1930, and U.P. Opium Smoking Act, 1934, U.P. Sales of Motor Spirit and Diesel Oil Taxation Act, 1939, U.P. Molasses Control Act, 1947 and Rules made thereunder.	1962	State Government
21.	U.P. Excise Manual Vol. IV containing the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 and the Spirituous Preparations (Inter State Trade and Commerce) Control Act, 1955 and rules made thereunder.	1962	State Government
22.	Technical Excise Manual.	1962	State Government

## Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Report on the Excise Administration of U. P.	April-March	1862	Excise Commissioner

## 7.5. REGISTRATION DEPARTMENT

7.5.1. The Registration Department provides facilities for the attestation of the execution of important documents of title, maintains a reliable record of such documents and affords opportunities for their inspection. Government charge fees for these services.

7.5.2. The law of registration was first introduced in British India by the Governor General in Council through a Regulation issued in the year 1793 under which all District Judges were appointed *ex-officio* Registrars for Registration of documents, under the superintendence of the Registrar of High Court. The registration was optional in almost all cases, but the system worked well and grew in popularity. To avoid inconvenience to the public the District Judges were, in 1824, authorised to appoint their Subordinate Judges as *ex-officio* Deputy Registrars for performing this function in their absence. It was later decided that the District Judges should make over the duties of registration of these *ex-officio* Deputy Registrars under their supervision. About 1838, registration offices were opened at tahsil headquarters too with Tahsildars functioning as Deputy Registrars combining these duties with their revenue work. The subordinate judges and tahsildars were allowed half of the registration fees collected by them in lieu of remunerations and establishment charges; the other half was remitted to Government as revenue. The first formal Registration Act was passed in 1864. It applied to all parts of British India except Avadh. The registration of certain documents was made compulsory by law. A separate post of Registrar General of Deeds as head of the Registration Department was created. The Act of 1864 was revised frequently to remove defects detected in its working. The designation of Deputy Registrar was changed into Sub-Registrar in 1866 and some posts of special Sub-Registrars were created partly on pay and partly on commission basis to help the Tahsildar Sub-Registrars in big cities, to relieve them gradually of these duties. The Registrar General, besides performing the duties of Head of Department, had his jurisdiction for registration of documents regarding properties situated anywhere in India. He was relieved of this duty in 1871 to devote himself solely to the exercise of general control and superintendence over Registration Offices. His designation was accordingly changed to that of Inspector General of Registration. As for Avadh, an organization of rural sub-registrars mostly based on custom, but supplemented by executive orders of the Government, was in existence there under the Judicial Commissioner. The old Kazis and the Kanungo families were mostly in charge of this work on hereditary basis. Registration was optional and the system was self-supporting. Sub-Registrars were receiving half of the registration fees collected by them in lieu of remuneration and establishment charges as elsewhere. With a view to having one and the same system of administration all over India the system obtaining in Avadh was brought in line in 1871 with that obtaining elsewhere although there was great opposition to it both in

official as well as non-official circles. With the passage of time, the registration law needed many changes. The law was recorded in the shape of Indian Registration Act, 1908, which is still in force.

7.5.3. The post of Inspector General of Registration remained combined with that of the Director of Land Records from December 1908 to March 1932 and then with that of the Excise Commissioner, U.P. up to June, 1936. It was, however, again amalgamated in July 1938 with the combined post of Chief Inspector of Stamps-cum-Junior Secretary, Board of Revenue, U.P., and Chief Inspector of Government Offices, U.P., when in April 1956, a separate post of the Chief Inspector of Government Offices was created.

7.5.4. The object of the Registration Department is to afford facilities to the general public for registration of documents and to preserve an authentic record of all such registered documents so that if a document is lost or destroyed or misplaced, its certified copy can be obtained from the records of the Registration Office. The Governor General-in-Council, while promulgating the order on the subject on the 1st of May, 1793, declared that its object was:

“to give security to the titles and rights of persons purchasing real property or receiving such property in gift, or advancing money on the mortgage of it, or taking it on lease or other limited assignment;

to prevent individuals being defrauded by buying, or receiving in gift, or by lending money on mortgage, or taking on lease any such property that may have been so previously disposed of or pledged;

to afford persons the means of obviating, as far as may be practicable, litigation respecting the authenticity of their wills, or any written authority they may grant to their wives to adopt sons after their death;

and that individuals may be able to provide against any injury to their rights or property by the loss or destruction of deeds relating to transactions of the nature of those above specified”.

7.5.5. The Government of India's review of Registration Department of 1889-90 enumerates the objects and policies of the Department as follows:

“No efforts should be spared to make the registration of optional deeds more popular. All reasonable facilities for registration should be given by establishing Registration Offices in sufficient number. The Government of India affirms the principle that department has not been established for the purpose of realising a profit to Government, but in order to secure a better record of title in land and better evidence of monetary transactions among the people. In conclusion His Excellency in Council desires local Governments not to lose sight of the need for devoting the surplus in their hands to

providing facilities for registration when experience shows that they are required”.

7.5.6. In short, the object of the law of Registration is “to compel people to arm themselves with incontestable good evidence of a transaction in which they are interested, to resort to the safest possible methods of recording their intentions, and so, to facilitate the discovery of truth, should the matter ever come into dispute”.

7.5.7. The Department is mainly concerned with the administration of the Registration Act for the purposes broadly indicated above and safeguarding a part of the Stamp revenue of the State by exercising a proper check on the Stamp duty due on documents as are presented for registration. At the Secretariat level, the department is under the administrative control of the Finance Department.

7.5.8. The Inspector General of Registration is the head of the Department with headquarters at Allahabad. He exercises general superintendence over all the registration offices under the State Government, advises the Government from time to time regarding the working of the Department and about the increase in sources of registration revenue and has power to make rules, consistent with the Registration Act with the approval of the Government in the Finance Department. He is assisted by a Personal Assistant whose office is held on a tenure basis by one of the Inspectors of Stamps and Registration, and one other Inspector of Stamps and Registration.

7.5.9. The Department has nine Inspectors of Stamps and Registration at the regional level at Agra, Allahabad, Bareilly, Kanpur, Lucknow, Meerut, Moradabad and Varanasi, each having jurisdiction over several districts, as fixed by the Inspector General of Registration from time to time. They inspect periodically the registration offices situated within their circles and bring to light procedural and other irregularities and detect deficiencies in stamp duty, court fee and registration fees, if any.

7.5.10. The State is divided for the purposes of the Registration Act into Registration Districts. The District Judge acts as the District Registrar except in the hill districts where the District Magistrate holds this assignment also. Generally, every tahsil has a registration office under a Sub-Registrar whose duty is to register documents relating to movable and immovable properties of right title and interest of the people. He is assisted by registration clerks for preparing copies of documents presented for registration and their indexes for permanent record. As stated earlier, in old days the sub-registrars were mostly working on commission basis. Wherever extra sub-registrars were employed, they were not treated as government servants. No age and educational qualification were prescribed for the post either. This system was abolished in 1910 and the services of sub-registrars were placed on the same footing as those of other government servants.

7.5.11. The District Registrar is responsible for the inspection of registration work in the district under the general supervision of the Inspector-General in technical matters. The Inspector-General, however, exercises powers of appointing authority in respect of sub-registrars and the registration clerks.

**Acts, Manuals and Rules relating to the Registration Department.**

<i>Sl. No.</i>	<i>Name of Act, Manual or Rule</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1.	Indian Registration Act	1908	Government of India
2.	Registration Manual Part I	1959	Government of U.P.
3.	Registration Manual, Part II	1959	Government of U.P.
4.	Rules for Calculation of Stamp Duty.	1931	Government of U.P.

**Annual Administration Report**

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Annual Report on the Administration of Registration Department.	April-March	1867	Inspector General of Registration



## 7.6. STAMP DEPARTMENT

7.6.1. The Department administers the laws relating to stamp duties and court fees. Stamp duties appear to have been first imposed on instruments in India in the year 1797. They were limited to Bengal, Bihar, Orissa and Banaras; and were initially imposed to abolish the tax for the maintenance of Police establishments which used to be levied on Indian merchants and traders. The Stamp Act of 1860 was the first enactment relating to stamp duties. After numerous changes from time to time in the shape of amendments, repeals and new enactments, the stamp law finally took the shape of the Indian Stamp Act of 1899. After the Devolution Act of 1920 the State Legislature was authorised to legislate on stamp duties with the exception of a few items. The Act has been amended a number of times by the Central and the State Legislatures since then. The position obtaining at present under the Constitution of India is that the Government of India alone can determine the rate of stamp duties on Bills of Exchange, Bills of Lading, Letters of Credit, Policies of Insurance, Promissory Notes, Proxies, Receipts, Debentures and Transfers of Shares.

7.6.2. As in the case of stamp duties, the law relating to court fees in India too was governed by various Regulations in the three Presidencies. Originally, there were no court fees in India and the State defrayed the expenses of all the judicial establishments. The first Court Fees Act was enacted in 1860, which after numerous amendments, repeals and re-enactments took the shape of the present Court Fees Act of 1870. After the Devolution Act of 1920, the subject fell in the provincial field.

7.6.3. The Stamps Department is under the administrative control of the Finance Department at the Secretariat level. The Board of Revenue, who are the chief revenue controlling authority in the State, act as head of the department and exercise general superintendence and control over its working. A special inspecting agency consisting of a Chief Inspector of Stamps and two Inspectors of Stamps was created in 1928 to check and supervise the stamp work in courts and offices. In 1934, the Chief Inspector of Stamps who was also working as Junior Secretary, Board of Revenue, was also appointed Chief Inspector of Government Offices as a measure of economy. This amalgamation of posts was done with the aim that the Inspectors of Stamps would concentrate their attention on civil courts which were financially more important from the point of view of the Inspectorate. The post of Chief Inspector of Registration was further amalgamated with that combined post in 1938, but in 1956, it was decided to keep a whole-time Chief Inspector of Offices and the post of Inspector General of Registration-cum-Chief Inspector of Stamps and Junior Secretary, Board of Revenue was made into a separate entity.

7.6.4. The Stamp Act is a fiscal enactment the primary object of which is to raise revenue for the State. It seeks to realise this

object by imposing a duty in respect of various documents executed by members of the public. The duty is made payable in the form of stamps sold by the Government. Though the raising of revenue is the primary object of the stamp law, it also helps to some extent in the detection of forgery of documents. Firstly, the stamps issued at different times have different marks and designs and if an instrument purporting to be executed at a particular date bears a stamp which was issued at a later date, there can be no difficulty in concluding that the instrument is a fabricated one. Secondly, even where there is no difference in the mark of design in the stamp used, stamp papers have to be purchased from stamp vendors who are required to keep a record of the names and addresses of persons purchasing the stamps. In any case of suspicion, such records can be consulted and made use of to detect any forgery.

7.6.5. A breach of the provisions of the stamps law does not affect the validity of instruments but only their admissibility in evidence, for basically the law taxes the language of the instrument and not the transaction carried through it. To mitigate the hardship to the public, the Central as well as the State Government have allowed reduction and remission of stamp duty in deserving cases. The State is also exempted from duty. The object of the Court Fees Act, too, is to secure revenue for the State. This was clarified by the Privy Council (A.I.R. 1918 P.C. 188) in the following words:

“The Court Fees Act was passed not to arm a litigant with a weapon of technicality against his opponent, but to secure revenue for the benefit of the State.”

7.6.6. Court fees are realised to meet the expenses of the State which it incurs on the establishments of the various Courts. The State, too, when it is a party to a litigation, has to pay court fees. The Act applies to all courts, civil, criminal and revenue, as also to the fees paid in public offices and provides for reductions and remissions of fees in deserving cases.

7.6.7. Apart from the administration of the laws relating to stamp duties and court fees, the Department broadly deals with adjudication of stamp duty, references and revisions under the Stamp Act, stamping of unexecuted documents, supply and distribution of stamps to treasuries and sub-treasuries, realization of court fees on Probates and Letters of Administration, and appeals and revisions under the Court Fees Act.

7.6.8. The immediate charge of the Department is held by the Chief Inspector of Stamps who also functions as Junior Secretary, Board of Revenue, with headquarters at Allahabad. This joint office is held substantively by the Inspector-General of Registration and is paid from the budget of the Registration Department. He is assisted at the headquarters by his Personal Assistant and one other officer both of whom are Inspectors of Stamps and Registration and belong to the Registration Department. The Stamp Department itself has

no officer paid from the Stamp budget, except for a few clerks and manual staff at the headquarters.

7.6.9. Inspectors of Stamps and Registration, who are posted in different Circles look after work of Stamp and court fees in addition to Registration work. The District Officer is the chief officer to administer the Stamp Law in the district. He nominates an officer (who is either a Deputy Collector or a Treasury Officer) to function as District Stamp Officer under him with the assistance of a 'Stamps Clerk' of the Collectorate.

7.6.10. The stamp law provides for delegation of powers to the Collector of a district. He is empowered to determine and adjudicate stamp duty on instruments, penalize insufficiently stamped documents, grant refund of spoilt and unused stamps, sanction prosecution for breaches of Stamp law and to appoint Stamp Vendors, etc. The Board of Revenue mostly act as an appellate authority.

#### Acts, Manuals and Rules relating to the Stamp Department.

<i>Sl. No.</i>	<i>Name of Act, Manual or Rule</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1.	Court Fees Act (as amended in its application to Uttar Pradesh).	1870	Government of India
2.	Court Fees (Remissions) Act.	1950	State Government
3.	The Indian Stamp Act (as amended in its application to Uttar Pradesh).	1899	Government of India
4.	Calculation of Stamp Duty Rules.	1931	State Government
5.	Uttar Pradesh Stamp Manual, containing Notes on Stamp Act, Court Fees Act, Suits Valuation Acts, Rules under the Stamp and Court Fees Acts, list of reductions and remissions in Stamp Duty and Court Fees.	1945	State Government

#### Annual Administration Report

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
	Annual Report on the Administration of the Stamp Department.	April-March	1862	Chief Inspector of Stamps

## 7.7. REGISTRAR, FIRMS AND SOCIETIES, U.P., LUCKNOW

7.7.1. The main functions of the Registrar, Firms and Societies, U.P. are to administer the Societies Registration Act, 1860, the Indian Partnership Act, 1932 and the U.P. Indian Partnership Rules, 1933, as also to attend, at the State level, to any enquiries made by the Government of India in connection with the centrally administered Companies Act, 1956.

7.7.2. The administration of the Societies Registration Act and the Indian Partnership Act was formerly in the hands of the Registrar Co-operative Societies, U.P., who was also Registrar, Joint Stock Companies under the Companies Act, 1913 (since repealed by the Act of 1956). The Societies Registration Act provided that the Registrar, Joint Stock Companies, was also to function as Registrar of Societies. In 1952, the Government of India deputed a whole-time Registrar, Joint Stock Companies, U.P. of their own for administration of the Companies Act centrally. He continued to hold the office of Registrar of Firms and Societies as well as that for the administration of the Societies Registration Act and the Indian Partnership Act. This position continued till May, 1958, when the Government of India shifted the office of the Registrar, Joint Stock Companies, from Lucknow to Kanpur. As an interim arrangement, the work of registration of firms and societies was again entrusted to the Additional Registrar, Co-operative Societies, but in August 1958, the State Government came forward with the Societies Registration (U.P. Amendment) Ordinance, 1958, empowering themselves to appoint a Registrar of Societies under the Act. They already had similar powers to appoint a Registrar of Firms under the Indian Partnership Act, 1932. A joint office of Registrar, Firms and Societies, U.P. is, thus, functioning under the State Government, since August, 1958. The administrative control on the Registrar and on the working of these Acts, which formerly was with Co-operative Department, passed on to the Finance Department of the Secretariat from January 1959.

7.7.3. The main provisions and the working of the Acts, are as follows:—

### (i) *The Indian Partnership Act, 1932.*

The Act and the Rules made thereunder provide for the registration of firms run in partnership and for filing of statements and notices, whenever any change in the firm occurs; for instance, there is an alteration in the name or permanent address of a partner or in the name of principal place of business of the firm, or the firm continues or discontinues business at a place other than the principal one or there is a change in the constitution of the firm, or a firm is dissolved or a minor who had been admitted to the benefits of the partnership on attaining majority elects to become or not to become a partner of the firm. The Registrar has to register on an average 3,000 new Firms and 450 Notices annually under the Act.

(ii) *The Societies Registration Act, 1860.*

The Act provides for the registration of charitable societies, military orphan funds, societies established for the promotion of science, literature or fine arts, those for instructions and diffusion of useful knowledge, for diffusion of political education, for foundation or maintenance of libraries and reading room for the public or for members only, public museums or galleries of painting and other works of art, collection of Natural History, Mechanical and Scientific inventions, instruments or design. A society formed with the above objects, has to file a Memorandum and a certified copy of the Rules and Regulations along with prescribed fee for registration. Each society has also to file annually a list of members of its governing body.

## Departments Dealing with Economic Development and Conservation of Resources

### 8.1.—PLANNING DEPARTMENT

8.1.1. The present Planning Department has its origins in the Rural Development scheme evolved in 1937 by the Co-operative Department in accordance with the recommendations of the Royal Commission on Agriculture, for making an organised and concerted effort to improve rural conditions in Varanasi, Faizabad and Pratapgarh districts. Further progress of the scheme was arrested by the onset of Second World War. It was only in 1946, on the eve of Independence, that the need for closer co-ordination of activities touching upon the lives of the people, rural population in particular, was felt again. As a result, in 1946, a Development Co-ordination Department was formed by the popular Ministry, which had then come into office, and a Development Commissioner was appointed. The Development Commissioner's set up was essentially a field office, supervising and co-ordinating the activities of different development departments and participating in the rural development work. He was also *ex-officio* Secretary to the Government for purposes of co-ordination of development schemes coming up for consideration of the State Rural Development Board. The Development Co-ordination Department was thus a combined office of the Head of Department as well as that of a Secretary to Government.

8.1.2. In 1951, this department was designated as Planning Department. In the following year, with the expansion of activities and the launching of the First Five-Year Plan, the combined office was bifurcated, and the Planning Department began to function as a separate unit within the Secretariat. In 1955, the administration of National Extension Service and related matters were entrusted to a section designated as Planning (A) Department and that relating to Private Minor Irrigation works and Plan Co-ordination to Planning, (B) Department. A further division of work took place in 1959, when a Planning (C) Department was created to look after Minor Irrigation, Agricultural Extension Training, etc. and Planning (B)



Department was left to look after the Five-Year and Annual Plans. A fourth department, namely, Planning (D) Department, was created in 1960 in order to take up the work of formulation of district and block plans. This work was subsequently transferred to the Community Development Department. In order to give the Development Commissioner-cum-Planning Secretary necessary status and authority to supervise the preparation, co-ordination and implementation of the plan schemes both at the Secretariat level and the level of Heads of Department, he was also designated as Additional Chief Secretary. As Additional Chief Secretary, the Development Commissioner was empowered to exercise the same powers of superintendence as the Chief Secretary in respect of various development departments. By that time, Harijan Sahayak, Social Welfare and Panchayati Raj Departments were also placed under the Planning Secretary.

8.1.3. The Development Commissioner with his organisation was functioning mainly as a co-ordinating agency between various departments, which had their independent existence and were free to frame their own policies. With the realisation that increased agricultural production was of paramount importance, it became necessary to re-orientate the State's administrative arrangements. Following the recommendations of the Working Group on Inter-Departmental and Institutional Co-ordination for Agricultural Production set up by the Government of India under the Chairmanship of Dr. Ram Subhag Singh, Union Minister for Agriculture, the Planning set up was reorganised in February-April, 1964. In the changed pattern, all departments having a direct or indirect bearing on agriculture were integrated and put under a Commissioner and Secretary of a new Department of Agricultural Production and Rural Development. Such parts of the Planning Department which dealt with Community Development and Minor Irrigation and the Departments of Agriculture, Co-operation, Cane Development, Animal Husbandry, Fisheries and Panchayati Raj were put under his charge so that even in policy matters in the Secretariat there should be unified control over these departments and all of them together could strive to achieve the objective of increased agricultural production. The Planning Department was also reorganised. The post of Development Commissioner was abolished and a new post of Secretary, Planning, Evaluation and Economics and Statistics was created. The Departments of Social and Harijan Welfare were transferred to the charge of Secretary to Government, Education Department. The new Planning Department now deals with the policy and approach to development of State's economy and the preparation and co-ordination of the five-year and annual Plans, their follow up action and evaluation including work relating to the Economic Intelligence and Statistics Directorate and the Planning Research and Action Institute.

8.1.4. The Planning Department is headed either by the Chief Minister or a separate Minister for Planning. The staff of the Department is usually as follows:—

1. Secretary	..	1
2. Joint Secretaries	..	3
3. Deputy Secretary	..	1
4. Research Officers	..	2
5. Deputy Manpower Officer	..	1
6. Superintendents	..	3

8.1.5. In broad terms, the distribution of subjects allocated to the different sections of Planning Department is as follows:

Planning (A) Department:

1. Establishment and accounts matters of Planning Branch.
2. Directorate of Economic Intelligence and Statistics.
3. Planning Research and Action Institute.
4. Directorate of Evaluation.
5. Foreign Training Programme.

Planning (B) Department:

1. Sectoral Plans—Agricultural Programmes, Co-operation and Community Development, Irrigation and Power.
2. Progress Reports.
3. State Planning Board.

Planning (C) Department:

1. Sectoral Plans—Industries, Transport and Communication, Social Services and Miscellaneous.
2. Co-ordination of Five-Year and Annual Plans.
3. Central Assistance and Financial Resources for the Plan.
4. National Development Council.
5. Plans of under-developed areas.

8.1.6. A Man-Power Unit under a statistician designated as Deputy Manpower Officer is attached to Planning (C) Department. The Planning Secretary is the Manpower Officer for the State. The Unit undertakes studies relating to employment problems and the demand and supply of technical personnel under different sectors. In 1963, two more units under Research Officers were set up in the Department. One of these undertakes studies relating to economic problems and the other is concerned with the development programmes for the four eastern districts of the State, viz., Jaunpur, Azamgarh, Ghazipur and Deoria and other backward areas within the State.

8.1.7. A Transport Survey Unit with one of the Deputy Secre-

taries of Planning Department as Secretary of the Unit was set up for collection and analysis of the data in regard to transport requirements during the Fourth and Fifth Plans.

8.1.8. The Planning Department is responsible for laying down sectoral priorities, important physical targets to be achieved and for allocating the available resources among the different departments. In both its set up and functions, the Planning Department is by and large working as any other department of the Secretariat without any technical and expert assistance save from the Directorate of Economic Intelligence and Statistics and Planning Research & Action Institute.

8.1.9. The process involved in the formulation of a Five-Year Plan is that the Planning Department issues two or three years in advance instructions asking the development departments to set up working groups, on the lines of the working groups set up at the Centre. These instructions contain guide lines for the working groups, which are based on the performance and achievements in the earlier Plan, perspectives of development prepared by the Planning Commission and other available material.

8.1.10. Territorial units at the lowest level, village grouped later into block, district, and region, are in the first instance associated with the formulation of the plan relating to cooperation, agriculture, animal husbandry, small scale industries, community project administration and allied activities. Principles indicating the scope of district, block and village plans, together with the method of preparation of these plans, are communicated by the State Headquarters. Particulars at the village level are supplied by the Lekhpal (who is the lowest functionary of the Revenue Department), Panchayat Secretary, Village Level Worker, Co-operative Supervisor, Patrol, etc. The village plan is put before the Gaon Panchayat which is the executive committee of the Gaon Sabha. The Pradhan of the Gaon Sabha places it before the Kshettra Samiti after it has been examined by its Utpadan Samiti (Production Committee). The Pramukh of the Kshettra Samiti presents the Block Plan to the Zila Parishad after it has been examined by the Executive Committee and the Niyojan Samiti (Planning Committee) of the Zila Parishad. At this stage the district level officers of the development departments are also present. For affecting coordination between the Panchayati Raj institutions and the departments, as also for removing difficulties and bottlenecks so that realistic and integrated plans are prepared and for taking into account the physical limitations of men and materials involved, the Plan is processed through the Co-ordination Committee consisting of the District Magistrate as Chairman and Adhyaksha and Upadhyaksha, Zila Parishad, Managing Director of District Cooperative Bank, Vice-President of District Co-operative Development Federation, all district level officers of concerned departments, as members with the District Planning Officer as Secretary. Zila Parishad Plans are scrutinised and discussed at the divisional level by a Divisional Planning Committee consisting of officials and non-officials. The Divisional Commissioner is the Chairman of this committee, and he is assisted by the

joint/Deputy Development Commissioner and other regional officers of the departments concerned. In the meeting of the Divisional Planning Committee held for this purpose, officers of departments concerned from Headquarters are also present. The plans are then sent to Government where they are scrutinised in the background of overall objectives, limitations of resources, sectoral priorities, etc.

8.1.11. Proposals received from field agencies and channelled through the Secretariat Departments are received in the Planning Department, examined and modified, if necessary, to bring them in consonance with the broad framework of the national plan, in the light of directives and instructions of the Planning Commission or the Government of India and decisions taken by bodies such as the National Development Council.

8.1.12. All development departments are associated with the formulation of Plans. Some of them have set up planning cells, separate divisions or have special officers for the purpose. For the Fourth Five Year Plan, in all, twenty-one Working Groups were constituted. These Groups included Professors from Universities, experts in different subjects, some non-officials and all the officials concerned.

8.1.13. Thought is given to the overall size, objectives and policies for the Plan and a collection of working papers is brought out. These contain guide lines for policy decisions. The Planning Commission's Memorandum on the Plan, approved by the National Development Council provides more definite data about the resources which are going to be made available. A series of meetings are then held with all development departments to consider their programme in broad terms in order to decide the size of the outlays with a degree of definiteness. The Council of Ministers approves the draft plan before it is sent to the Planning Commission. It is quite often placed for discussion in the Legislature too. Formal and informal discussions are held with the Planning Commission at various levels in order to impress upon them the capacity and the need of the State for such a Plan.

8.1.14. The process of formulating Annual Plans is somewhat simpler because of the availability of five-year framework. The Planning Department makes an assessment, in consultation with the Finance Department, of the resources likely to be available and of estimates of Central assistance expected to be received. The tentative size of the Annual Plan is decided about the month of September each year. On the basis of the previous performance, as well as the work to be done during the five-year period and the priorities, allocations are made sectorwise. These are circulated to the departments who are required to prepare their Plans and send them to the Planning Department. The departmental plans are thereafter scrutinized and discussed at meetings which are attended by officials concerned. An agreed set of schemes and outlay results from these discussions. Attempts are made, although with limited success, to ensure internal balance and to see that targets set are realistic in terms of resources

and proposed schemes. The Planning Department then prepares the draft annual plan and it is sent to the Planning Commission. The Planning Commission holds discussions with the State Government. Officers of the departments concerned participate in the Working Groups' discussions. The Planning Department is responsible for securing the approval of the Planning Commission for the annual plan outlay and sectoral break-up. After this has been done the departments are intimated of changes, if any, in their outlays and programmes. Action is taken to process the schemes for their inclusion in the budget. Broad details of each scheme are sent to the Planning Commission and each scheme is also required to be approved by the Planning Department before it is included in the budget.

8.1.15. The machinery for planning and its process is, however, somewhat different in the three border districts of Pithoragarh, Uttarakashi, and Chamoli. In these districts Zila Parishads have not been constituted but in each district there is a body known as Antarim Zila Parishad, which is not an elected body, all of whose functions and powers vest in the District Magistrate under the Antarim Zila Parishad Act. After collecting relevant data from the districts concerned, the five-year plans as well as annual plans for these districts are formulated at the State Headquarters by the Border Development Department in consultation with the Planning Department.

8.1.16. After the Plans are formulated with the approval of the Planning Commission and the Planning Department, the other departments concerned have to take action for getting their schemes included in the budget with the approval of the Finance Department. The responsibility for implementation of all such schemes directly rests with those departments who have to carry it out with the help of their field agencies right from the village up to the State level. The departments are responsible for the issue of administrative and financial sanctions, obtaining of periodical progress reports and removing of bottlenecks. The Secretary of each department holds monthly meetings to scrutinise the progress made in the issue of sanctions and utilisation of outlays. These meetings are attended by officers of the Planning and Finance Departments also.

8.1.17. The Planning Department is also expected to review constantly the progress of implementation and to help in removing difficulties and inter-departmental bottlenecks as also to ensure inter-departmental co-ordination. This serves the purpose of enforcing a common scheme of priorities between the national, State and local levels, continuity in implementation and complementary action at various points. The Department also calls for fortnightly reports on the progress of issue of sanctions at the beginning of each financial year. Physical and financial progress reports are also obtained in each quarter. Discussions are held with the departments concerned to review the progress. These review meetings are attended by the Secretary and the Head of the Department Concerned. Planning Department's

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1. For details, see Chapter 11.6.



scrutiny of progress helps to focus attention on weaknesses in execution, delays in making schedules and in ensuring utilization of potential being created. Diversions and substantial changes in the programmes are also approved by the Planning Department. The Planning Department initiates and makes studies into the performance of schemes in order to improve implementation and, where possible, to affect economies. These studies are not evaluation studies as such, but mainly involve analysis of past performance. Such studies help in deciding future programmes of action and in scrutinising new schemes and projects. Efforts are also made to compare cost-benefit ratios wherever possible.

8.1.18. At the divisional (regional) level there is a Divisional Planning Committee, consisting of officials and non-officials, with the Divisional Commissioner as Chairman, for reviewing the progress in implementation of plans within the Division and for sorting out inter-district and inter-departmental difficulties. For this purpose the Divisional Commissioner is assisted by the Joint/Deputy Development Commissioner. Other members of the Committee are the regional officers of various development departments such as Deputy Director of Agriculture, Deputy Director of Co-operatives, Deputy Director, Animal Husbandry, etc., and all District Magistrates within the Division.

8.1.19. At the district level the responsibility for implementation of plans is of the Zila Parishad under the charge of Adhyaksha who is elected by the members of the Zila Parishad. The Adhyaksha is assisted by an Officer, viz., District Planning Officer-cum-Chief Executive Officer, Zila Parishad. In his capacity as Chief Executive Officer, this Officer works under the Adhyaksha. Keeping watch over agricultural production, constructional and other programmes of the Khand (Block) and ensuring that various programmes are being implemented properly according to the Plan; issue of directives regarding execution of District Plans; evaluation of programmes and periodical review of achievements and targets; and collection of data and maintenance of statistics of all matters relating to the implementation of the Plan within the district are the obligatory duties of a Zila Parishad in accordance with Schedule II of U.P. Kshettra Samitis and Zila Parishad Adhiniyam, 1961.

8.1.20. For effective and timely implementation of District Plans as also for reviewing the progress of Plan schemes each month a District Plan Implementation Committee has been constituted with the Collector of the District as Chairman and the Adhyaksha, Zila Parishad as Vice-Chairman. Other members of the Committee are Executive Engineer, Irrigation Department, Executive Engineer, P.W.D., Executive Engineer, Power Department, District Agriculture Officer, Executive Engineer, Minor Irrigation; District Livestock Officer, Assistant Registrar, Cooperative Societies; District Industries Officer and the District Family Planning Officer. Additional District Magistrate (Planning)/District Planning Officer acts as its Secretary. This Committee is also responsible for the formulation of annual plans for the



district, ensuring that these are in accordance with the needs of the district and are such as would enable maximum benefit to accrue to agricultural and industrial production. Coordination at district level is achieved through the Niyojan Samiti of Zila Parishad too.

8.1.21. Besides his functions as Chairman of the District Plan Implementation Committee, the Collector is even otherwise responsible for the proper implementation of all development plans in his district. In accordance with Section 226 (2) of the U.P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961, he is required to furnish quarterly reports to the State Government about the progress of development work. He is assisted by the Chief Executive Officer of the Zila Parishad in the capacity of District Planning Officer. The District Planning Officer is the leader of the team consisting of a number of other district level officers such as District Agriculture Officer, District Livestock Officer, Assistant Registrar, Co-operative Societies, District Harijan and Social Welfare Officer, District Panchayat Raj Officer, District Organizer, Prantiya Rakshak Dal; Assistant Engineer or Senior Mechanical Inspector, Minor Irrigation, etc. (There is no District Planning Officer in the three border districts of Chamoli, Uttarkashi and Pithoragarh, where the district level officers of the development departments work under the District Magistrate in whom, as indicated earlier, all powers and functions of the Antarim Zila Parishad vest).

8.1.22. The task of the Planning Department has increased in magnitude and complexity, particularly from the Third Plan period. It has been increasingly associated with economic studies of a higher nature and called upon to take up special programmes of development of backward regions. The department was associated with the Joint Study Team appointed by the Planning Commission in December 1962, to make a study of economic and social conditions and problems of development in the four districts of Ghazipur, Jaunpur, Deoria and Azamgarh in eastern Uttar Pradesh. The Department had initiated technical and economic studies for preparation of long-term transport plans. With a growing realisation of the need for comprehensive planning based on careful appraisal of resources, the Planning Department is called upon, from time to time, to make assessment of the material, capital and human resources of the State, identify the factors which tend to retard economic development and make a periodical appraisal of the progress achieved in the execution of different programmes. It has to advise the departments on all matters which have a bearing on the development needs of the State and execution of different programmes, and has thus come to exercise significant influence over the formation of policies by other departments of the State Government as are concerned with development programmes. Planning Department has also to co-ordinate and disseminate, at the State level, the information on all matters that come up for discussion in the National Development Council and its Standing Committees, which acts as the high level co-ordinating body for the policies of the Central and State Governments.

8.1.23. *Standing Committee on Planning and Development:* This is a Committee of the Legislature and it discusses and advises on all

matters of policy and reviews implementation of planning activities of the State.

8.1.24. *State Planning Committee*: The State Planning Committee is a committee of officers with the Chief Secretary to Government as its Chairman, other departmental Secretaries as its members and the Planning Secretary as its Member-Secretary. The Committee is responsible for preparing and checking the material for drawing up of the State Plans and laying it before the State Planning Board and the Government for consideration. The Committee is required to advise the Board and the Government on financial and other resources of the Government, priorities for various phases of the plan, agency to execute various programmes and variations in the programmes based on periodical progress reports and experience gained in execution of the schemes.

8.1.25. A small sub-committee consisting of the Chief Secretary, the Finance Secretary and the Planning Secretary functions as the State Planning Sub-Committee. The Sub-Committee has been acting as the Chief Advisory Body, at the official level, in regard to the size of the Five Year and Annual Plans, the contribution of the State resources and the allocation in different sectors. The Committee also scrutinizes the proposals of Government departments for sponsoring their officers for training abroad.

8.1.26. An Advisory Committee was also formed to help and advise the Transport Survey Unit. Its Chairman was the Chief Secretary and among the members were included Secretaries and heads of concerned development departments, General Managers of Northern and North-Eastern Railways, Heads of Economics Departments, Lucknow and Banaras Universities, etc. A Deputy Secretary of the Planning Department acted as Member-Secretary of the Committee.

8.1.27. A Hill Development Board was set up in August, 1967, with the Chief Minister as its Chairman with headquarters at Naini Tal, for the development of Hill districts which needed special attention. The Board had under its purview the hill tahsils of Chakrata and Mussoorie of Dehra Dun district but excluded the plains of Naini Tal district.<sup>2</sup>

### *Subordinate Units*

#### 1. PLANNING RESEARCH AND ACTION INSTITUTE (PRAI), LUCKNOW

The Planning Research and Action Institute was established in

2. The Board was reconstituted in June, 1969, when the book was in the press, and its jurisdiction was modified to include the whole of the districts of Almora, Chamoli, Dehra Dun, Garhwal (Pauri), Naini Tal, Pithoragarh, Tehri-Garhwal and Uttarkashi. Its membership includes all members of Parliament and State Legislatures from these districts and Chairmen of the concerned Zila Parishads. The Chief Executive Officer of the Board is its Secretary. (Chief Secretary to Government was its *ex-officio* Secretary till the Chief Executive Officer was appointed).

1954. The Institute concept grew out of the needs of the Community Development Projects and National Extension Service Blocks to replenish the "Working Capital" which is fast running out under the strain of our heavy development programme, through study of new ideas coming up elsewhere or through pilot experimentation; to evaluate results and methods of work; to provide specialist service to the field workers; to fill up the gaps in available literature for the village people and to study administrative and personnel problems and inter-relations.

2. The P.R.A.I. is the only institute of its type in the Far Eastern countries. It has attracted the attention of a number of official and voluntary agencies in many countries and World Organisations like W.H.O., UNICEF, ECAFE, FAO, UNESCO, etc., have shown special interest in the methodology evolved for action-research programmes. A few of these organisations have also come forward with financial and expert assistance for tackling certain problems through the agency of P.R.A.I.

3. The Institute has been able to carry out successfully a few action research projects in the fields of Rural Industries, Rural Health, Soil Conservation, Co-operation, Youth Work, Panchayats and Mass Communication. The successful results of some of these, after they have been fully tested, have been made available to operational agencies of Government departments and private individuals for wide scale extension. Some of the successful projects are the popularisation of latrines in rural homes. Techniques and methods have been developed for introducing them in villages. Development of a Sulphitation Unit for the manufacture of crystal sugar on a small scale and its popularisation through people's organisations and individuals has been another very successful project. These units have already been set up throughout the country including U.P. and a few of them have been set up in Pakistan also. The pattern of 'Youth Programme' as developed by the Institute has been accepted as the best in the country. To give full scope for its expansion in other States the Institute has arranged for the training of trainers in youth work from different States. The pattern of Soil Conservation with People's Participation is considered as the most suitable method for extension of soil conservation programme in rural areas. The operational agencies have accepted it and are using it for the extension. The extension pattern of Agricultural Implements Programme as evolved by P.R.A.I. is now being adopted by operational agencies for their extension programme. Preparation of audio-visual aids by involving the private agencies is found to be a workable and comparatively inexpensive pattern for publicity. The operational agencies are accepting the pattern for wide scale use. The system of evaluation where social scientists, technical hands and extension workers work hand-in-hand and produce workable recommendations has attracted considerable attention. Being impressed with the system of its working, U.N.O. assigned a number of studies for investigation to the Institute. The Institute has published a num-

ber of reports and has carried out studies for the use of the Departmental workers and administrators on development activities. It has produced education lessons and simple literature for neo-literates. It has printed simple booklets and reports for the village youths for the age group of 12 to 25 years. It has prepared audio-visual aids for extending various programmes in the field. Numerous reports, studies and booklets have been printed; these are distributed to all those who are interested in the community development programme.

4. *Objectives.* The objective of the Planning Research and Action Institute, which works in close collaboration with the various development departments, are as follows:

- (i) To devise and test out through spot-work or pilot experimentation in selected areas, under controlled conditions individually or in groups, new ideas and methods which, if successful, can be pushed into general field operation;
- (ii) To study, test and adopt, for application in this State, ideas and methods coming up elsewhere in India or abroad;
- (iii) To undertake quantitative evaluation and comparison of results, working out specific projects or individual activities with a view to ascertaining as to what are the weak and strong points and how the methods can be revised and improved;
- (iv) To observe, analyse and evaluate the development policies and actual work in the field; the relations of our staff to the people and their own inter-relations; to see whether and how this work and these relations and policies may be adjusted and improved;
- (v) To conduct intensive seminars, short conferences and short-term training courses for extension workers;
- (vi) To disseminate the results of observation, experimentation and evaluation through publication of reports, brochures, booklets, etc.; and
- (vii) To establish and maintain a library on various subjects falling within the purview of the Institute for reference by the Development workers, both official as well as non-official.

5. The Institute concerns itself with extension-research rather than subject-research. The major accent is on evolving methods and techniques for involving people which is the chief aim of the Community Development Programme.

6. *Organization.* The Institute consists of various sections grouped into three main branches as given below:

(A) *Pilot Project Sections*

1. Rural Industries.
2. Co-operatives.
3. Special Extension Work among Younger-Age-Groups.
4. Social Conservation through People's Participation.
5. Rural Health and Environmental Sanitation.
6. Women's Programmes.
7. Panchayats.

(B) *Evaluation, Studies and Surveys*

8. Rural Life Analysis.
9. Evaluation and Statistics.

(C) *Mass Communication Wing*

10. Information and Publications.
11. Audio-Visual Aids.
12. Library Service.

7. *Sectional Set-up.* Each Section, except Statistics and Mass Communication Sections, is designed to have a working team consisting of a Specialist assisted by Senior and Junior Associates. The specialists may be foreigners or Indians but the Associates are all Indians. The Co-operatives, Youth Work and Rural Industries, and Soil Conservation Sections had each a foreign Specialist for two years or so. They have left the Institute on the expiry of their terms and their functions have been taken over by their counterparts. This arrangement has the advantage of combining a specialised expert knowledge from foreign countries with Indian experience. The Institute is operating in new fields where it must benefit from similar foreign experiences. On the other hand, it is necessary to assimilate this experience and knowledge and adopt it to our needs and conditions. The foreign experts are normally engaged for one to two years during which period the Associates are expected to be adequately trained to take over.

8. *Headquarters.* The Director is also a Joint Secretary in the Planning Department. This system has been found very helpful in overcoming a number of routine difficulties.

9. The Institute works in close collaboration with the departmental set-up or through the departmental agency itself. This facilitates the process of transfer of successful schemes to the operational agencies, *i.e.*, the departments concerned. Most of the sectional heads and other team members have been drawn from the development departments on deputation so that their field experience may be available in working out the projects. The heads of development departments and other officers are kept in touch with the projects



throughout the experimental stage. They serve on the project advisory committees.

10. The Institute also collaborates with non-official agencies like the Khadi and Village Industries Commission, Bharat Sewak Samaj, etc., which are engaged in the work of Community development.

### *Process of Action Research*

11. While carrying out action-research, four different stages for examination and analysis arise:

(i) *Base-line Survey*. Through the base-line surveys, the existing economic and social situations are found out, general reactions of the people are obtained and their receptivity is ascertained. Complete inventory of available resources is prepared. Technical "know how" is ascertained. On the basis of the surveys programme planning is done and the project is launched in the field after fulfilling necessary requirements.

(ii) *Current Appraisals*. They are carried out to find out how the action research projects are progressing. Whether proper progress in their implementation is being maintained? Whether people are accepting them? If not, why? Are extension techniques having the necessary impact on the propagation of the new idea? If not, how can they be improved upon? Whether the assumptions and hypothesis taken for trials are being fully tested? Whether there are situations in which certain modifications in the programme planning are considered necessary? For this, research workers, technical people, psychologists, sociologists, statisticians, anthropologists and extension workers have to work as a team and that is how proper co-ordination in the action research is vitally essential.

(iii) *Introduction of Improvements and Modifications*. As a result of current appraisals, the overall impact of the programme is further examined and, if need be, further modifications in the existing situations are made.

(iv) *Evaluation*. Finally, the programme is evaluated. Its overall impact is found out. Proper assessment is carried out to find out as to how the traditional beliefs and prejudices have been affected. Various techniques employed for the successful working are analysed. Strong and weak points are ascertained. A documentary history is prepared. Practical recommendations are made for the effective radiation of the successful projects. Evaluation report finally sums up to what extent objectives originally set forth have been achieved.

12. The Institute brings out an annual report (April to March), entitled: Annual Report of Planning, Action & Research Institute U.P. This publication started in 1954.

### *Committees, Conferences and Boards*

13. *Sectional and Team Members Meetings*. Sectional and Team



Members' meetings are held every month to co-ordinate and evaluate the work of various sections of the Institute. These meetings provide a healthy forum for collective thinking and group-action.

14. *Project Advisory Committees.* For each item of the programme of the Institute and for each project prepared by the Sections, there are Project Advisory Committees consisting of Institute members concerned with the project, representatives of the Development departments, experts, non-officials and field workers involved in the programme.

The Project Advisory Committees meet periodically to scrutinise proposals of the Sections of the Institute to formulate the programme in detail, guide, supervise and co-ordinate research and experimentation in the field, review the findings and finalise the reports. These committees also act as a medium of communication from the Institute out to the Departments and other organisations and back, which is useful at both ends.

15. *Institute Planning Committee.* The highest organ of the Institute is the Institute Planning Committee of which the Chief Minister is the Chairman and Minister for Planning and Development, the Vice-Chairman. The committee consists of the Deputy Minister, Planning, Commissioner for Agricultural Production and Rural Development, Director, J. K. Institute, Lucknow University, Head of the Department of Economics, Lucknow University, one member of the Legislative Council and one member of the Legislative Assembly, Secretaries to Government and Heads of Development Departments, two Deputy Development Commissioners, Director and Sectional Heads of the Institute. The Institute Planning Committee meets annually and determines the annual programme, allocates priorities, guides the general policy of the Institute and acts as a forum for co-ordination between the Institute and the Development Departments.

16. The Planning Research and Action Institute has been rendering valuable services in the form of action-research on various facets of Community Development. A brief resume of the work done by various sections is given below:

#### I. *Rural Industries*

17. In the field of rural industries, the Planning Research and Action Institute has carried out a number of Pilot Projects with good deal of success. The emphasis has been laid on selection of those industries which have a high radiating value. Some of the Industries that have been successfully tried on Pilot Project scale, are as follows:—

- (i) Pilot Project on the Manufacture of Sugar on Small-Scale.
- (ii) Pilot Project in tanning of raw hides.
- (iii) Pottery Project, Chinhat, District Lucknow.
- (iv) Utilization of Cow-Dung Gas.
- (v) Fur Tanning and games skin curing.

- (vi) Pilot Project on Mango Pulp and Flake Preservation, Kaimganj, District Farrukhabad.
- (vii) Small Scale Cement Factory, Mohanlal Ganj, District Lucknow.

## II. *Co-operatives*

18. The main functions of this Section are to carry out pilot experimentations for evolving suitable methods and techniques for involving people in co-operative ventures with a view to improving their economic condition. The following projects have so far been worked out by the Co-operatives Section in close collaboration with the Co-operative Department:

1. Integrated Co-operative Development Project, Nauranga (Kanpur) where credit was linked with marketing.
2. Multi-purpose Co-operative Union Project, Mahewa (Etawah) to find out how efficient and well paid management can contribute towards better working of a Co-operative Institution.
3. Co-operative Member Education Project to study the effect of education on the proper working of the Co-operative Societies.
4. Processing Projects: These were started to give better returns to the cultivators from the sale of their produce.

## III. *Special Extension Work among Younger Age-Groups*

19. This programme has been given due emphasis to prepare boys of impressionable age-group to play their part as useful citizens of the country. The main activities were undertaken in Pilot Development Project, Etawah, Rasra and Ratanpura blocks of District Ballia and Rampur Maniharan block of Saharanpur District. Training was imparted in raising nursery and preparation of vegetable seeds. Orientation training camps of Social Education Instructors drawn from various Gram Sewak Training Centres are held in addition to Youth Leaders Training Camps.

## IV. *Panchayats*

20. Experience indicated that in order to tackle the village problem on the various fronts, it was necessary to strengthen the village Panchayat. For this, it was first thought desirable to educate the Panchayat Members about the working of the Panchayats. Ten Panchayat Member Education Lessons were prepared. Agricultural implements and Rahat (Persian Wheel) manufacturing programmes have shown encouraging results. With a view to find out a solution to the unemployment problems in the villages and to encourage avenues of improving the financial conditions of Panchayats, five Panchayats of Chinhat and neighbouring areas decided to start a Panchayat Udyog at Chinhat. Ten more centres were started later on.

### V. *Soil Conservation*

21. Soil Conservation work, originally started on ten acres of land, has now been extended to forty-six villages of Bhagyanagar and Ajitmal blocks in district Etawah, covering an area of about 19,694 acres. Among the various engineering measures, greater emphasis has been laid on field constructions like field bunds, contour bunds, terraces and check-dams. These measures have been supplemented by such agronomical practices as strip-cropping, mixed cropping, contour-cultivation and growing of leguminous crops. All these measures have resulted in saving the land from being washed away and at the same time in increasing the productivity of the soil.

Usar (unculturable land owing to high alkalinity) Reclamation work is being done by the Institute on an experimental basis. In order to evolve a suitable programme of soil conservation for hill areas, experimental work is being done in the districts of Dehradun and Nainital.

22. The Institute is also running a Soil Conservation Training Centre at Muzaffarabad (Saharanpur) where training in various techniques of soil conservation is imparted to Village Level Workers and Assistant Agricultural Inspectors.

### VI. *Rural Health*

23. Research work has been done in this Section mainly on the following aspects of rural health.

- (a) Evolving a sanitary water-seal latrine for the villages.
- (b) Developing a system for supply of clean water for drinking purposes in the villages.
- (c) Village Replanning, and
- (d) Health Education.

24. All the above projects have shown significant results. A new project on Family Planning Communication Research has also been taken up.

25. The Agricultural Implements Workshop, Chinhat has evolved a method of constructing masonry wells with the help of re-inforced cement concrete rings. By this method irrigation wells can be constructed at low cost within a short period.

### VII. *Women's Programmes*

26. A Pilot Project on Women's Programme was started in Ajitmal, Pilot Development Project, Etawah, with a view to find out suitable programmes for rural women based on appropriate approaches, methods and techniques. The training of women extension workers, as well as the organisation of satisfactory working facilities and living conditions for them received special emphasis. A programme of improved home living initiated through the women members of the family is taking shape. Attempts are also being made to explore a pro-

gramme of subsidiary occupation to improve the economic condition of the families. The spheres of Education, Health and Home Making and Occupation are covered by this programme.

#### VIII. *Rural Life Analysis Section*

27. The work of this Section is of two types, (1) Study and evaluation of development work in the field, its impact on the people with recommendations as to possible adjustments and improvements, and (2) collaboration with the pilot project sections as a service wing through base-line surveys and current appraisals accompanying field pilot projects of the Institute.

#### IX. *Evaluation and Statistics*

28. The Evaluation and Statistics Section is primarily engaged in the collection and compilation of data on various subjects for the use of other sections of the Institute as well as other Development departments of the State. Besides, statistical surveys, agro-economic studies and agricultural sample surveys also form major assignments of this Section.

#### X. *Mass Communication Wing*

29. There are three sections in this Wing, namely Information and Publications, Audio-Visual Aids, and Library Sections. The chief aim of these sections is to work out such means of communication as may be easily understandable by the rural folk and may help them to accept new ideas and practices readily.

#### XI. *Information and Publications*

30. The Institute has brought out numerous publications which consist of various reports and studies made by the Institute. Some literature caters to the needs of rural neo-literates and development workers at village, district and State levels.

#### XII. *Audio-visual Aids*

31. The Audio-Visual Aids Section of the Institute has been producing both projective and non-projective audio-visual materials laying particular emphasis on film strips, film slides, photographs, transparencies, posters, flash-cards, flannelgraphs and films. The collection and processing of folk and development songs is also undertaken by this Section.

#### XIII. *Library*

32. The Institute Library possesses a good collection of books. The total number of books is over 23,000. About 150 Indian and foreign journals are being regularly received in the library. The Institute is also operating a V.L.W. Circulating Library, with a view to finding out the extent to which the Circulating Library can help the field workers in keeping posted up-to-date with the latest development activities.

## 2. EVALUATION ORGANIZATION

On the basis of the report of the Working Group on Evaluation in the States appointed by the Planning Commission in 1964, the State Government established an evaluation agency in this State in January 1965 although a full Directorate came into being in June, 1965. The Director, Planning Research and Action Institute was also designated as Director of Evaluation with headquarters at Lucknow. Other supporting staff consists of a Deputy Director, Evaluation Officers, Investigators, Computers, etc. The main functions of the organization are to assess the achievements and failures, to examine the organizational structure, to study the methods and pace of progress of the various programmes and institutions involved in the development of the State and to suggest ways and means to accelerate the pace of development, wherever necessary. Selected programmes and projects are taken up for evaluation from time to time, broadly of the following categories:

- (a) All Pilot Projects and Programmes,
- (b) Programmes showing persistent lags, problems and difficulties in implementation,
- (c) Impact of programmes of planned development,
- (d) Programmes and schemes involving large outlays and relying for their success on the co-operation and participation of the people and institutions,
- (e) Programmes for the benefit of special sections or special areas, and
- (f) Baseline surveys for planning development schemes.

2. The Director of Evaluation keeps himself abreast with the working of various departmental schemes and in the course of his work, keeps close contact with the various offices and institutions under the Planning Department's administrative control. All necessary records and information which may be desired by the Director of Evaluation and his staff are made available to them by the departments concerned. The Director, Evaluation, and his staff have access to the records pertaining to studies or evaluation undertaken by their organization.

3. There is a State Evaluation Advisory Board with the Chief Minister as its Chairman and a non-official Deputy Chairman. Economists, Social Workers, Legislators, Adhyakshas of Zila Parishads and distinguished retired government servants, besides the Chief Secretary and Secretaries, Finance, Agricultural Production & Rural Development and Planning Departments, and Director, Programme Evaluation Organization, Planning Commission, are members of the Board. The Board advises Government regarding:—

- (i) selection of programmes to be taken up for evaluation,



- (ii) providing guide lines for various evaluation agencies functioning at the field and departmental levels and co-ordinating their activities, and
- (iii) periodical review of work including implementation.

In order to ensure that the recommendations of the Directorate are properly utilized, an Evaluation Committee consisting of Chief Secretary, Finance Secretary and Planning Secretary has also been constituted.

### 3. ECONOMICS & STATISTICS DEPARTMENT

A Board of Economic Enquiry was constituted in 1931 and a Bureau of Statistics and Economic Research attached to it. The functions of the Bureau were to undertake such enquiries as directed by the Board. The Bureau was at first under the administrative control of the Director of Land Records, who was designated as Director of Statistics, but it was brought over to the Secretariat in 1937, and its name changed to Bureau of Economic Intelligence. In the Secretariat it was placed under the Industries Department. In 1940, it was shifted to the Labour Commissioner's Office, Kanpur, to work as a cell in that organization, but was brought back to Lucknow in 1942 to work on problems of food supplies and price control as a part of the Price Control Department for preparing indices of prices, cost of living, etc. As these problems grew in intensity and number and their economic character became more prominent, the Price Control Department was split up the same year into a Department of Civil Supplies and a Department of Economics and Statistics, by merging the Bureau in the Secretariat Department under an Economic Adviser and Secretary to Government. In 1946, however, Government decided to do away with this post and to place the Department, like other departments, under a Secretary to Government and to create a Directorate attached to the Department functioning under a head of department. Accordingly in 1947, a new post of Economic Adviser and Director of Statistics was created which was later changed to Director of Economic Intelligence and Statistics. The Directorate was an attached office of the Secretariat (for some time in the Agriculture Secretary's Branch and then in Finance Branch) and combined in itself both the Secretariat Department and the office of the head of department. Since 1957, the Department had been functioning as part of and under the administrative control of the Planning Department of the Secretariat but in May 1961, the Secretariat part was separated from the operational wing.

2. Like its administrative affiliations, the functions of the department have changed from time to time. Thus, while the main subjects of study initially were Prices and Economic Depression, after 1937, labour problems in general and the cost of living indices in particular received most of its attention. In 1942 and subsequent



years, studies of prices, price-control measures, rationing and Civil Supplies were undertaken. Since 1947, the emphasis has been on the collection of economic data and on conducting of surveys and investigations having a bearing on the broader economic issues and of more lasting value. Research studies and preparation of economic series throwing light on various economic aspects of life became its equally important functions. Tabulation and analysis of data, writing of monographs and preparation of charts and graphs are also some of its ancillary functions. The studies undertaken by the Department are co-ordinated with all-India studies initiated by the Central Statistical Organization of the Government of India.

3. In 1950, the Government of India initiated a large scale data collecting organization known as the National Sample Survey. This body has since been organising rounds of economic enquiries and collecting data on all important subjects throughout the country. The State Economic and Statistics Department has been participating in this scheme since 1955 and helping the Central Organization to cover a wider sample so that the data can be used in the State also. In particular, the Department undertakes, as a regular feature, collection of data on consumer expenditure and employment and unemployment position. It also undertakes collection of statistics relating to Rural Land-holding, Rural and urban household indebtedness, Urban labour force, Population, births and deaths (urban) and Land utilization and crop cutting experiments according to requirements of the Planning Commission and departments of Government. Enquiries into rural and urban consumption, wholesale and retail prices, family budget inquiries, industrial and agricultural wages, survey of agricultural markets, municipal finance and taxation, cost of cultivation are also undertaken. Statistics of Community Development Programme and for Plan Projects are collected and analysed. For selected industries, industrial statistics are collected from factories and manufacturing establishments under the Collection of Statistics Act, 1953. A census of stocks of cotton held by cotton ginning and pressing factories is conducted annually under the Uttar Pradesh Cotton (Statistics) Act, 1947. Statistics of Government employment and employment under local bodies were also collected in the past. The Department co-operates with the Census Organization in taking a one per cent sample census.

4. Some of the important series that are prepared are:

- (1) Indices on agricultural production.
- (2) Indices on industrial production.
- (3) Indices on imports and exports of the State, measuring variations both in their quantity and in their value.
- (4) Indices of wholesale prices of agricultural commodities.
- (5) Indices of wholesale prices of industrial commodities.
- (6) Agricultural Parity Index, showing variations in wholesale agricultural prices.

- (7) Indices of currency in circulation.
- (8) Indices of inventories.
- (9) Urban Consumer Price Index.
- (10) Rural Consumer Price Index, etc.

A report on manufacturing industries is brought out every year. A monthly bulletin of key statistics is published giving other useful statistical series. District and State statistical abstracts give all important statistics at one place.

5. Under the auspices of the Programme Evaluation Organisation of Planning Commission the Economics and Statistics Department undertook a study of the impact of plan programmes on levels of living, consumption and employment, use of improved methods in agriculture, and in general, on the socio-economic life of the people.

6. The Director of Economic Intelligence and Statistics, U.P., Lucknow is assisted at the headquarters by the following officers:

- |                                   |    |   |
|-----------------------------------|----|---|
| 1. Deputy Directors               | .. | 2 |
| 2. Statistician                   | .. | 1 |
| 3. Training Officers              | .. | 2 |
| 4. Assistant Directors            |    |   |
| (i) Industrial Statistics Officer | .. | 1 |
| (ii) Assistant Directors          | .. | 5 |
| (iii) Assistant Statisticians     | .. | 3 |
| (iv) Research Officers            | .. | 3 |
| 5. Chief Graph Artist             | .. | 1 |

7. The Director of Economic Intelligence and Statistics also publishes an annual report entitled: *Economics and Statistics Department at Work*. The publication of this report was started in 1955.

8. The Headquarters office consists of—

- (1) *Field Survey Division*. This Division looks after the work of the various multipurpose rural and urban inquiries, socio-economic and other inquiries, collaborates in the National Sample Survey conducted by the Government of India and undertakes one per cent sample census. Different types of indicators on wages, consumption and employment for rural and urban sectors are prepared. The Division arranges advanced and basic statistical training courses for in-service statistical personnel as also training of persons desirous to be appointed as Progress Assistant in Development Blocks in the State.
- (2) *Technical Division*. This Division takes over work from the Field Survey Division at a stage when field enquiries

have come to a close. Wholesale and retail prices of various commodities are collected and indices are prepared for the Monthly Bulletin of Statistics.

- (3) *Hollerith Mechanical Tabulation Division.* This Division tabulates through punched cards the large mass of data collected by the Department on machines rented from M/s International Computers and Tabulators (India) Private, Ltd.
- (4) *Statutory Statistics Division.* It is mainly connected with collection of industrial statistics in the State. The division publishes a yearly report where statistical interpretation of capital, labour and wages, raw materials and output, as reported by the Industries, are examined with a view to discerning contribution of each of them towards State income. It is through this Division that the Collection of Statistics Act, 1953 and the Collection of Statistics (Central) Rules, 1959 framed thereunder are implemented.
- (5) *Publications and Publicity Division.* It brings out a 'Monthly Bulletin of Statistics', Statistical Abstract for the State and other publications for the Department, and looks after the work connected with the implementation of Cotton Statistics Act, 1947.
- (6) *Research Division.* It works out figures of State Income and per capita income on yearly basis and studies gaps in the entire statistical data, evolves appropriate methods of filling them, studies data emanating from other sources and assesses their utility, devises suitable designs for undertaking surveys, both continuing and ad hoc, for ensuring a co-ordinated and overall approach to statistical needs of the State.
- (7) *Planning Statistics Division*
  - (a) *Plan Projects Section.* It scrutinizes, compiles and prepares quarterly reviews on plan schemes of the State. Annual indices of achievements in relation to targets of different plan schemes are also prepared.
  - (b) *Progress Report Section.* It looks to the collection and compilation of various types of monthly data of community development statistics at Block level for preparing quarterly progress review of some important items of development activity in the State.
  - (c) *Plan Survey Section.* It conducts ad hoc surveys and other statistical studies in connection with Planning as desired by the Government of India or the State Government from time to time. It conducted a Panchayat Election Survey and is continuously conducting surveys for estimation of area under improved agricultural practices, etc.

- (8) *Graph Section.* The Chief Graph Artist, with the help of six artists, prepares different types of three dimensional models, graphs and charts for visual display and dissemination of statistics to throw light on development activities and economic situation of the State. The Section maintains an Administrative Intelligence Room at the headquarters and also arranges display of its graphs, charts, etc., in various exhibitions.
- (9) *Establishment and Accounts Divisions.* They look after all establishment and accounts matters relating to the Department. The Department maintains a technical library.

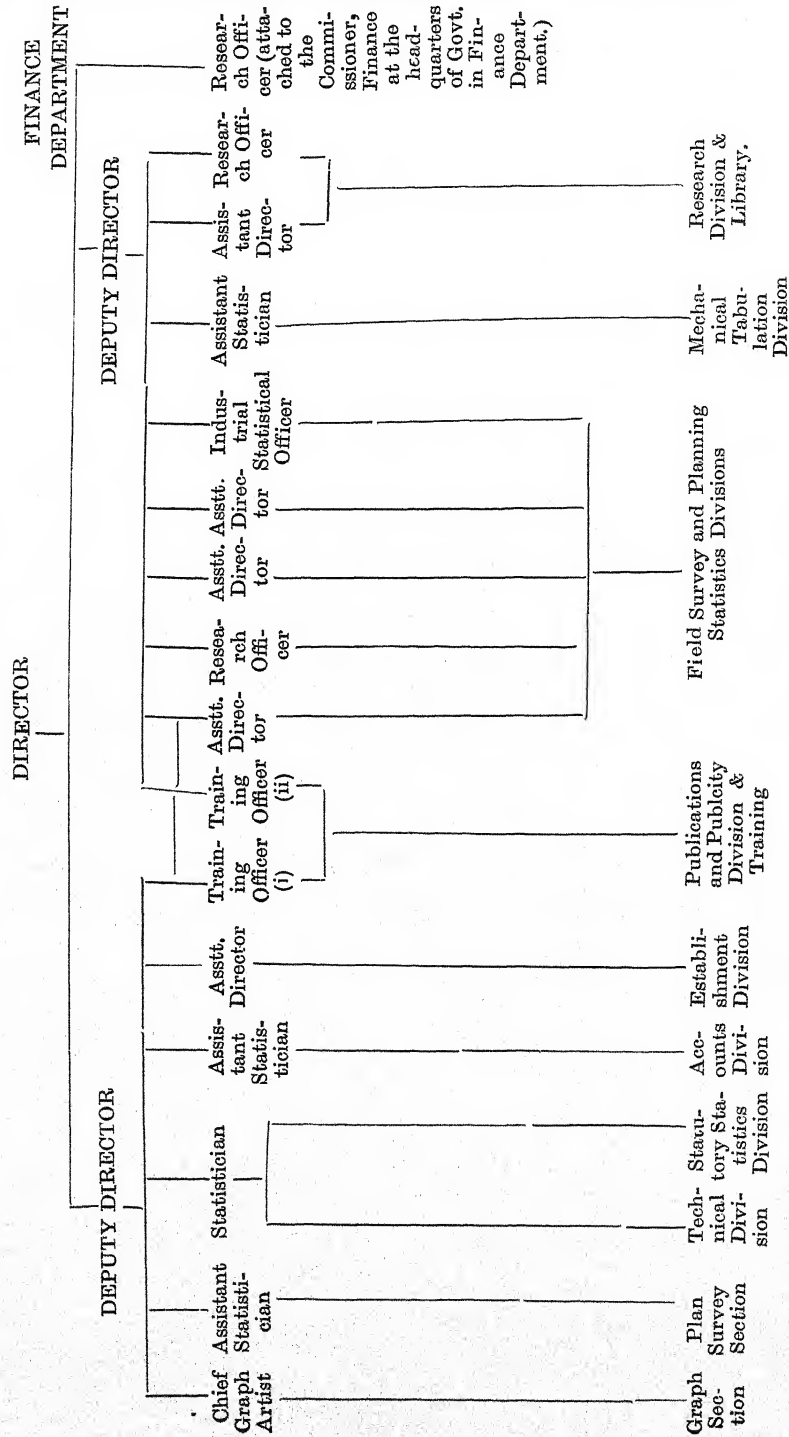
Physical distribution of these Divisions is displayed in the Organization Chart.

9. Ten posts of Divisional Statistics Officers were created in 1962, one for each Divisional Headquarters, but after a period of about three years, they were abolished, as they were not found useful. At the district level, there is a District Statistics Officer in each district (except the three border hill districts) for collection of economic intelligence with the assistance of one or more Economic Intelligence Inspectors and Assistant Economic Intelligence Inspectors, and for compiling reliable statistics about development activities at the Block and district levels with the assistance of a Statistical Assistant. At some district headquarters there is a Senior Economic Intelligence Inspector for surprise inspection or spot verification of the work of Economic Intelligence Inspectors and Assistant Economic Intelligence Inspectors, and where the work is heavier a few Investigators have been provided. Though the District Statistics Officer is not under the District Planning Officer, yet he is expected to work in close co-operation with him under the general administrative control of the District Magistrate. At the Block level, Progress Assistants, who function as member of the Block teams under the control of the District Planning Officer, form part of the Community Development Department. They are trained in statistical work. District Statistics Officer supervises their work and provides technical guidance. A Progress Assistant is responsible for the maintenance of Statistics at the Block level and for furnishing compiled progress reports to higher authorities. He also makes inspections and verifies the figures of progress and achievements reported by Village Level Workers.

#### **Acts and Rules relating to Economics and Statistics Department**

<i>Sl. No.</i>	<i>Name of Act and Rule</i>	<i>Year</i>	<i>Authority under which framed or enacted</i>
1.	U.P. Cotton (Statistics) Act.	1947	State Govt.
2.	Collection of Statistics Act.	1953	Govt. of India
3.	U.P. Collection of Statistics (Commercial Concerns) Rules.	Being framed	State Govt. under the Collection of Statistics Act, 1953.

CHART SHOWING THE ORGANIZATION AT THE HEADQUARTERS OF THE  
ECONOMIC INTELLIGENCE AND STATISTICS DIRECTORATE



## 8.2—DEPARTMENT FOR AGRICULTURAL PRODUCTION AND RURAL DEVELOPMENT AND COMMUNITY DEVELOPMENT DEPARTMENT

8.2.1. As already narrated in the earlier section dealing with Planning Department, the Development Commissioner with his organization was lately functioning mainly as a co-ordinating agency amongst various departments, each having its independent existence. At the block level, the work of all the development departments was channelised through the Block Development Officer. This enabled closer supervision and greater facility in evoking public enthusiasm and support and it was at the block level that the Development Commissioner had his main responsibility of organizing and implementing the community development programmes. Effecting improvement in agricultural production was one of the functions of the Community Development Organization. With the realization that increased agricultural production was of paramount importance, it became necessary to re-orientate the State's administrative arrangements accordingly. The Working Group on Inter-Departmental and Institutional Co-ordination for Agricultural Production, 1963, set up by Government of India under the Chairmanship of Dr. Ram Subhag Singh, Union Minister for Agriculture, recommended an integrated approach towards agricultural production and unified administrative set up. The State Government accepted the main recommendations of this Working Group and made certain changes in the administrative structure.

8.2.2. At the top there is a Sub-Committee of the Cabinet to ensure quick decisions and expeditious implementation of programmes relating to agricultural production. The Chief Minister is the Chairman of this Committee and Ministers for Finance, Revenue, Irrigation, Agriculture, Co-operation and Community Development are its Members.

8.2.3. Until lately, apart from the general guidance that the Development Commissioner could give, individual departments were free to frame their own policies. It was only at the block level that the Block Development Officer co-ordinated the implementation of the various departmental policies, but above the block each department functioned through its own agencies. In the changed pattern, agricultural production is the main function of the Community Development Organization and the Blocks. Agriculture and all other departments having direct or indirect bearing on agricultural production were put under one Secretary so that even in policy matters in the Secretariat there could be unified control over these departments. Even under the changed pattern, it has been envisaged that, subject to the change in emphasis on agricultural production, implementation of departmental development programmes continue to be co-ordinated by the extension agencies of the Block and for that purpose the officer in



charge of the integrated department is in charge of Rural Development as well. A new Branch of Agricultural Production and Rural Development was, therefore, created in February/April 1964 by integrating the following departments:—

1. Community Development
2. Minor Irrigation (Private)
3. Tubewells (State)
4. Agriculture
5. Animal Husbandry
6. Fisheries
7. Panchayati Raj
8. Co-operative, and
9. Cane Development.

This Branch was placed under the charge of a senior administrative officer who was designated as Commissioner and Secretary, Department of Agricultural Production and Rural Development. To assist him in the discharge of duties relating to the large number of departments which were integrated, senior I.A.S. Officers of suitable status were posted as Special Secretary/Joint Secretary at the Secretariat level. He is responsible for all matters which are dealt with by the merged departments and also provides advice to Government on overall policy matters in regard to agricultural production programmes. Primarily the officer in charge of this integrated department is the Secretary to Government for all the merged departments, but adequate autonomy is given to and sufficient delegation is made in favour of the supporting officers, specially those of the status of special Secretaries, who are senior I.A.S. officers and assist him in co-ordinating policies and programmes for all these departments.

8.2.4. The Commissioner-cum-Secretary, Agricultural Production and Rural Development has been given a field status also so as to enable him to guide and supervise the work of the Heads of Departments such as the Director of Agriculture, Cane Commissioner, Director of Animal Husbandry, Director of Fisheries, Director of Panchayats, Registrar, Co-operative Societies; Director, Tube Wells; and Superintending Engineer, Rural Manpower and Minor Irrigation and also the work which was hitherto being done in the Development Commissioner's field Organization. These Heads of Departments continue to function as before but have now to be subordinate to the Commissioner-cum-Secretary, Agricultural Production and Rural Development who has been given the power to make inspections, issue directions and suggest annual entries in the Character Rolls of the respective Heads of the Departments. The Agricultural Production Commissioner as he is usually called in short, holds a Staff Meeting every month consisting of the Special Secretary, Joint Secretary other senior Secretariat officers and the Heads of the various integrated departments to

discuss matters requiring inter-departmental co-operation and co-ordination. The Special Secretary in charge of Rural Development is responsible for all Community Development Programmes minus those relating to agricultural production. As the establishment officer for the Block agencies, he ensures that they faithfully carry out the departmental schemes that are entrusted to them. He also has field status and is designated as Additional Commissioner, Rural Development, so as to enable him to effectively supervise in the field.

8.2.5. The Commissioner and Secretary, Agricultural Production and Rural Development is normally assisted by the following senior officers at the Secretariat level:—

1. Special Secretary, Community Development, Minor Irrigation and Panchayati Raj-cum-Additional Commissioner, Rural Development.
2. Special Secretary, Animal Husbandry and Fisheries.
3. Special or Joint Secretary, Agriculture.
4. Joint Secretary, Co-operative and Cane.

For State Tubewells, Irrigation Department at the Secretariat continues to be the administrative department but the Commissioner and Secretary, Agricultural Production and Rural Development Department, is in overall charge and for that purpose Secretary and Joint Secretary, Irrigation and Power Departments, also function as Special Secretary and Joint Secretary respectively in the Agricultural production and Rural Development Department.

8.2.6. In order to co-ordinate the activities of various departments in the organization under the Commissioner and Secretary, Agricultural Production and Rural Development, a Co-ordination Cell directly attached to the Secretary was formed in March, 1966, which started functioning on an experimental measure actually from November, 1966. The Cell deals with matters relating to the follow-up of inspection notes, co-ordination in respect of correspondence with the Government of India relating to agricultural production concerning more than one department, follow up of major decisions taken in conferences, matters relating to recommendations of State Ministers' Conference, Cabinet Sub-Committee on Agricultural Production and Staff Meetings.

## 1. COMMUNITY DEVELOPMENT DEPARTMENT

8.2.7. The present Community Development Department at the Secretariat level consists of a part of the old Planning Department as it existed before the apex Agricultural Production and Rural Development Department was formed in April, 1964. The Department is headed by the Minister incharge of Community Development. The Commissioner and Secretary, Agricultural Production and Rural Development is Secretary to Government for the Community Development Department as also head of the department for this Organization. He is assisted by the officers mentioned in paragraph 8.2.5 and a few

Deputy, Under and Assistant Secretaries incharge of various schemes. A Personal Assistant to the Commissioner and Secretary helps the latter in his day to day work of maintaining co-ordination between the functioning of various departments under him.

8.2.8. The Community Development Department at the Secretariat consists of three Sections in the Agricultural Production and Rural Development Secretary's Branch. Community Development (A) Department under a Superintendent deals with the Standing Committee on Planning and Development, Informal Consultative Committee on Community Development, Divisional Planning Committees, establishment of officers and the staff of the Community Development organization, and Applied Nutrition Programme and Peace Corps volunteers.<sup>3</sup> Community Development (B) Department, under a Superintendent, deals with various schemes, viz. Minor Irrigation, Rural Manpower, Training of Field workers and Non-officials, Prantiya Rakshak Dal, local development works and Council of Sports. Community Development (C) Department, under an Assistant Superintendent, deals with the preparation of District and Block Plans, quarterly reports of Commissioners of Divisions and review of development activities.

8.2.9. The Community Development Projects are largely conceived as areas of intensive development in which the development agencies of Government are to work together as a team on programmes planned and co-ordinated in advance and executed in active association of the people. Two Statisticians assist the Department in the formulation of plans with special reference to agricultural production. The production targets for the State are set on the basis of all-India targets approved by the National Development Council, and on considerations of input availabilities and production possibilities in the State. These targets are broken up region-wise, district-wise and Block-wise on the basis of local production possibilities. The existing patterns of production and the changes in these which appear feasible on the basis of the inputs available and agronomic conditions of the area are taken into account.

8.2.10. For proper implementation of community development schemes, the Department is assisted by numerous other departments of the Secretariat and more particularly by the Revenue Department who advise in the matter of taqavi loans for minor irrigation works, funds for which are placed at the disposal of Commissioner, Agricultural Production & Rural Development; Co-operative Department who assist in the grant of loans to co-operative societies and in the grant of loans to cultivators through the Land Development Banks for minor irrigation works; Food & Civil Supplies Department who assist in the procurement of construction materials, viz., cement, iron sheets, pipes, etc., and help in procurement and storage of wheat received under the World Food Programme through W.F.O. and its distribution amongst

3. The subject of Vigyan Mandirs, which was being dealt with here, was transferred to Agriculture (C) Department with effect from August 7, 1967.

labourers engaged in the construction of bundhis and tanks in Bundelkhand through Gaon Sabhas who are allowed 35 to 40 per cent. of the cost of work in the shape of wheat; Power Department who assist in the grant of power to cultivators for minor irrigation works and Irrigation Department who assist in providing technical personnel for minor irrigation schemes.

8.2.11. The Applied Nutrition Programme which started in collaboration with the United Nations International Children's Emergency Fund (UNICEF), Food and Agriculture Organization (FAO) and World Health Organization (WHO) in 1961-62, aims at improving the existing diets of the people and has the following broad objectives:—

- (1) Production of nutritive foods.
- (2) Increasing consumption of protective foods, particularly amongst expectant and nursing mothers, pre-school and school going children.
- (3) Nutrition education.

The scheme envisages establishing of school gardens and imparting training to officials and non-officials in the field who will be concerned with the spreading of the idea of improved nutritive habits, how to produce such nutritive food as can be easily obtained from existing local resources. The UNICEF are committed to meet the entire cost of the training. During the Fourth Plan period it is expected to establish 600 school gardens and to train 80,000 persons in the methods of nutrition.

8.2.12. *Rural Manpower.* With a view to accelerate increase in the agricultural production and providing additional employment to the rural people in the agriculturally slack season when they remain unemployed, a scheme named Works Programme for utilising Rural Manpower was introduced by the Government of India in the year 1960-61. It is in operation at present in 169 blocks of 23 districts of this State. In the execution of the policy relating to the Rural Manpower Scheme, this department is assisted by the Finance, Irrigation, Public Works, Forest and Fisheries Departments. They approve the schemes which are to be executed by their technical men in the field. Zila Parishads have also been entrusted with the execution of some works under the scheme.<sup>4</sup> The Food and Civil Supplies Department also make available their assistance in regard to the proper distribution of wheat for Rural Manpower projects. The wheat is provided by the U.S. Agency for International Development under P.L. 480 which is distributed among the labourers engaged in the execution of the Rural Manpower project in lieu of their wages at the rate of 50 per cent. wheat component and rest in cash. This scheme is at present in operation in six districts of eastern U.P. and is being expanded in other districts of the State. United States Agency for Inter-

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4. Since 1968-69, Zila Parishads are fully involved in the execution of these works,

national Development has recently entered into an agreement with the Association of Voluntary Agencies for Rural Development (AVARD) a non-official body, to set up services essential to successful working of Rural Works Programme. This organisation works in close co-operation with the Superintending Engineer, Minor Irrigation & Rural Manpower. The State Rural Manpower Committee which was set up in 1965 at the headquarters for laying down the policy and successfully implementing the Rural Works Programme, was however, dissolved in May, 1967.

8.2.13. *Prantiya Rakshak Dal*. The partition of the country in 1947 was followed by a period of acute social and communal strife. There were several cases of disturbances of public peace and lawlessness. The main idea behind setting up of the Prantiya Rakshak Dal in April 1948 was to mobilise a voluntary force in the village which, in co-operation with police and other organizations, could bring about a sense of security and discipline among the villagers and could canalize their efforts into development schemes for the betterment of their living conditions. The Dal was set up under the Uttar Pradesh Rakshak Dal Act, 1948, and its functions were to be as follows:—

- (1) to mobilize manpower in rural areas for the execution of development schemes and for the betterment of villagers,
- (2) to bring about a sense of security in the villages in keeping with the principle of self-reliance and in co-operation with the police force of the State,
- (3) to render social service at various fairs, exhibitions and social functions, and
- (4) to train members of the village defence societies.

Later, the following functions were also entrusted to the Rakshak Dal:—

- (a) Promotion of Youth Welfare and physical culture activities, and
- (b) Assisting in the Soil Conservation Programme.

At the head of the organization was the Administrative Commandant, P.R.D. who was usually an officer of the Indian Police Service. He was assisted by three Assistant Commandants, one each for training, physical culture and youth welfare. An important development in the history of the Prantiya Rakshak Dal was the creation of a police wing in the districts of Lucknow, Agra and Varanasi in September 1957. The necessity for a police wing arose as a result of the enormous increase in the work of police with the passing of several legislative enactments by the Central and the State Governments against social disabilities. It was, therefore, decided to call up certain P.R.D. personnel under the P.R.D. Act, 1948, and post them under the administrative control of Senior Superintendent of Police of the districts mentioned above. The main duties assigned to the police wing were:—

- (a) to assist the police in enforcement of legislation against social disabilities;



- (b) to assist the police in maintaining law and order at fairs, exhibitions and social functions;
- (c) to assist in traffic control and night vigils; and
- (d) to help in tracing lost persons and children and restoring them to their families.

An Assistant Commandant was provided in each of these three districts for looking after the work of the Police Wing. In December, 1962, it was decided to re-orientate the working of the Prantiya Rakshak Dal to provide for a Village Volunteer Force with the three-fold objects of village defence, mass education and agricultural production. Closely following this came the scheme of Home Guards,<sup>5</sup> involving the recruitment, training, discipline, control, mobilization, arming and clothing, etc., of a force numbering about 1,50,000. The headquarters of Prantiya Rakshak Dal at Lucknow were also made headquarters for Home Guards and both the forces were placed under a Commandant General of P.R.D. and Home Guard Wings, who is an Officer of I.P.S. The work and duties of both these Forces, as envisaged in different statutes, are different. Home Guard is ancillary to the Police and P.R.D. is basically intended to be used for mobilization of rural manpower in developmental activities. Each Wing is under the charge of a separate Commandant, who too are I.P.S. officers. The Commandant looking after the P.R.D. is assisted by two Assistant Commandants.

8.2.14. At the District Level the P.R.D. is under the administrative control of the District Planning Officer assisted by the District Organiser, P.R.D. In each Block there is a Zone Worker (Block Organiser). From Block downwards there is a Village Voluntary Force consisting of One Halqa Sardar in each Panchayati Adalat, one Dalpati and three to five Tolis for each Gaon Sabha, each Toli consisting of a Toli Naik and ten Rakshaks. The selection of the members of this voluntary force is made by Selection Committees as under:—

- |                             |   |
|-----------------------------|---|
| 1. Halqa Sardar and Dalpati | Sub-Divisional Officer (Chairman), District Organiser P.R.D., Block Development Officer, Block Pramukh and Station Officer, Police. |
| 2. Toli Naiks and Rakshaks  | Gaon Sabhapati (Chairman), Block Organiser P.R.D. & A.D.O. (Panchayats).  |

At present the P.R.D. looks after the work of Village Volunteer Force and Shram Dan, mobilization of peoples' participation in works of Community Developments, soil conservation, food production, kitchen gardening, afforestation, Youth Welfare Organisation, Applied Nutrition Programme, physical culture, rural sports programmes and Village Defence. Nearly in all this work the P.R.D. is closely associated with the Gaon Panchayats.

8.2.15. *The Uttar Pradesh Council of Sports.* The Uttar

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5. See Chapter 11.7 on Civil Defence Department.



Pradesh Council of Sports was set up in 1955. Its aim is to encourage, and to help in improving the standard of sports, games and athletics in the State and to establish an effective organization for their promotion and proper development. The Council consists of the Chief Minister or his nominee as the president and one of the Secretaries to Government as Member-Secretary. Other members of the Council are the Director of Sports, Inspector-General of Police, Director of Education; Director, N.C.C.; one representative of the Universities by rotation, a nominee of Railways, a nominee of Post Master General, U.P. Circle; Commandant-General, Home Guards and P.R.D., and some members of the Legislature.

The powers and functions of the Council are briefly:—

- (1) to advise the State Sports Organisations and to act as co-ordinating agency among them,
- (2) to advise the Government in all matters concerning sports, games and athletics,
- (3) to provide financial and other assistance and disburse all grants placed at its disposal,
- (4) to provide for coaching facilities, and
- (5) to arrange for participation in tournaments, etc.

The activities of the Sports Council are run by the grants given by the State Government, under the care of a Director of the Council. Maintenance of accounts of the funds is done by an Office Secretary, who is an officer of the State Government whose services have been placed at the disposal of the Council.

8.2.16. Besides the extension agency belonging to the Community Development Department which co-ordinates the work of agricultural production in the field, as described in the next section on Agricultural Production Commissioner's Organization, there are co-ordination committees at all levels which are required to meet frequently. A reference has already been made to the District Co-ordination Committee, the Divisional Planning Committee and the District Plan Implementation Committee while dealing with the organization of Planning Department. Other important committees are:—

(1) *Standing Committee of Legislature on Planning and Development.* (Details are given under Planning Department).

(2) *Informal Consultative Committee.* It was set up in 1958 on the lines of similar committees functioning in Government of India, primarily to advise in respect of the community development programmes. The Consultative Committee consists of (1) members of the Standing Committee of legislature, (2) members of the Parliament and Uttar Pradesh legislature who are members of the State Planning Board and (3) members of the Parliament from Uttar Pradesh who are members of the Central Consultative Committee in the Government of India.

(3) *The Advisory Committee on Extension Training Under Community Development Programme.* This Committee has been set up in November, 1966, under the Chairmanship of the Commissioner and Secretary to Government, Agricultural Production & Rural Development, U.P., to review periodically the various training programmes conducted by the Gram Sewak Training Centres, now called Extension Training Centres, to evaluate their impact on the increase in food production and to suggest ways and means to improve the competence of all Extension Workers including Gram Sewaks, by developing the Extension Training Programme of the State and also to provide administrative and technical guidance. The Committee is expected to meet quarterly at the headquarters of Government.

## 2. AGRICULTURAL PRODUCTION COMMISSIONER'S ORGANIZATION

8.2.17. The Commissioner for Agricultural Production and Rural Development, who replaced the Development Commissioner in April 1964, is the principal head of department under the administrative control of the Community Development Department. His main responsibility is that of organizing and implementing the agricultural production and community development programmes in the Blocks. The work is taken up in Blocks in stages according to the pattern prescribed by the Ministry of Agriculture and Community Development, Government of India. Staff is posted in the Blocks and funds allocated according to a schematic budget prescribed by the Government of India for various phases of the Blocks. Formerly, as indicated earlier, the Development Commissioner was co-ordinating the community development programme with the other development departments and for the purpose of maintaining proper liaison between him and other departments, a number of special officers of those departments were posted at the headquarters as Assistant, Deputy or Joint Development Commissioners. Registrar, Co-operative Societies, and Director Panchayat Raj were *ex-officio* Joint Development Commissioners. Under the changed set up, the Commissioner and Secretary, Agricultural Production and Rural Development has been given field status so as to enable him to guide and supervise the work of all other heads of development departments, as mentioned in paragraph 8.2.4, and as he has overall control on the functioning of those departments, the various technical officers that had been attached to the Development Commissioner's office earlier, were reverted to their departments. The Director of Movements and his staff, who were part of the Development Commissioner's Organization, were also transferred to the control of Secretary, Food and Civil Supplies Department.

8.2.18. The Commissioner for Agricultural Production and Rural Development is assisted in the discharge of his duties at the headquarters by the following officers:

- (1) Additional Commissioner-cum-Special Secretary (Rural Development)-cum-Director of Panchayats,
- (2) Deputy Development Commissioner-cum-Deputy Secretary (Administration),
- (3) Deputy Development Commissioner-cum-Deputy Secretary (Community Development),
- (4) Deputy Director, Applied Nutrition Programme,
- (5) Assistant Development Commissioner (Hqrs.),
- (6) Assistant Development Commissioner (Programme & Village Level Training),
- (7) Assistant Development Commissioner (Training),
- (8) Assistant Development Commissioner (Accounts), and
- (9) Assistant Accounts Officer (Headquarters).

The ministerial wing of the headquarters office which is under the overall charge of a Superintendent, is divided in General, Establishment, Programme, Training, Budget and Accounts Sections.

8.2.19. At the regional level the responsibility for providing guidance and supervision has been entrusted to the Divisional Commissioner of each revenue Division, who has been provided with a Joint or Deputy Development Commissioner to assist him, and to act as his staff officer. The latter is generally an IAS officer and with a view to effect economy, in certain cases this post has been combined with the post of Regional Joint or Deputy Director of Industries. Besides making inspections, he holds staff meetings of the regional officers of various departments, such as Agriculture, Co-operative, Animal Husbandry, Fisheries, Medical and Public Health, Horticulture, Minor Irrigation, Industries, P.W.D., Irrigation, Hydel, Education and Women Welfare to solve the problems of administrative co-ordination. The meetings of the Divisional Planning Committees, of which he is the Secretary, are held for reviewing the progress of development activities and for resolving difficulties. The Regional Joint or Deputy Development Commissioner has been provided with an Assistant Accounts Officer to assist him in the audit and inspection of the accounts of the District Planning Offices, Training Centres and Blocks. He has power to sanction grants-in-aid from funds of Local Development Work Grant of the Government of India and of self-help grant of the State Government, to grant subsidy up to 50 per cent of the total cost, and to make transfer within his Region.

8.2.20. At the district level the Zila Parishad, at the Block level the Kshettra Samiti and at the village level the Gaon Panchayat are associated with the agricultural and other community development programmes. Kshettra Samitis and Zila Parishads have been set up under the U.P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961, and Gaon Panchayats under the U.P. Panchayat Raj Act, 1947. Each Gaon Panchayat is responsible for the formulation of

the Village Plan and for helping in its implementation. There is a Kshettra Samiti for each Block and a Zila Parishad for each district, save in the three border districts of Chamoli, Pithoragarh and Uttarkashi, where there is neither a Kshettra Samiti nor a Zila Parishad. Kshettra Samitis have been charged with the responsibility of preparation of development plans for the Blocks and helping the Gaon Panchayats within their jurisdiction to frame their Plans. They are also responsible for ensuring the execution of the Block and Gaon Panchayat Development Plans by periodically reviewing the achievements and co-ordination of the Plans framed by Gaon Panchayats. Similarly Zila Parishads are responsible for preparation of district Plans, review of Plans framed by Kshettra Samitis and their co-ordination and consolidation, keeping watch over all agricultural production and other programmes of the Block and ensuring that various programmes are being implemented properly. Powers and functions of Kshettra Samitis and Zila Parishads are given in Schedules I and II of the Adhiniyam of 1961 mentioned above.

### *District Planning Offices*

8.2.21. Except in the three border hill districts where the District Magistrates look after the community development programmes themselves, in the remaining fifty-one districts, there is a District Planning Officer who is a senior officer of the State Civil Service (Executive Branch) or an IAS officer and works under the immediate control of the District Magistrate. In forty-two districts having a population of ten lakhs and above, officers in the scale of Rs. 600-50-1250 are posted as District Planning Officers while in the remaining districts they are officers in the scale of Rs. 300-900. Some officers of Engineering Services, Agriculture Service, Co-operative Service, Veterinary Service, Cane Development Service and Community Development Service were also posted as District Planning Officers in a few districts. With the introduction of Panchayati Raj in the State, the District Planning Officer is also *ex-officio* Chief Executive Officer of the Zila Parishad. The District Magistrates are also fully associated with the Planning and Development Programmes in the State as already explained in detail in the earlier section dealing with the Planning Department. In his capacity as Chief Executive Officer of the Zila Parishad the District Planning Officer works under the Adhyaksha of Zila Parishad and thus serves his district in dual capacity. The Adhyaksha has been authorised to exercise administrative control over the Chief Executive Officer and has a right to send every year his assessment of the latter's work and conduct to the authority which is required to record periodical entries about his work and conduct as a government servant. Under Section 39 of the U.P. Zila Parishad and Kshettra Samiti Adhiniyam, 1961, in order to enable the District Planning Officer to achieve effective co-ordination, the district level officers of the Community Development, Health, Panchayat Raj, Minor Irrigation, Animal Husbandry,

Co-operative, Harijan and Social Welfare and Agriculture Departments including those of Prantiya Rakshak Dal and Deputy Inspectors of Schools have been declared officers of the Zila Parishads and the District Planning Officer, who is the leader of the team of district officers, exercises in the capacity of the Chief Executive Officer of the Zila Parishad, administrative control over all these officers and reports on their work and conduct as a government servant. Since 1955, the District Planning Offices are Pooled offices and cater to the needs of all the officers mentioned above. A District Planning Officer can sanction expenditure on maintenance of works up to Rs. 500 for a single item, sanction execution of works up to Rs. 5,000, sanction loans up to Rs. 5,000 and grants-in-aid up to Rs. 2,000 for each item.

### *Development Blocks*

8.2.22. The Block (Khand), with a Kshettra Samiti, has emerged as the unit of planning and development all over the country and is the main agency for the execution of agricultural, community development and other development programmes. The success of the programmes depends largely on effective working relationship between the various functionaries of development departments at this level. Except in the twenty-one Blocks of the border hill districts, Kshettra Samitis have been constituted in 657 Blocks of the State as in April, 1968. Apart from the duties and responsibilities of these Samitis mentioned in para 8.2.20, construction and maintenance of minor irrigation works and embankments, drainage works and supply of water, planting of trees and afforestation, development of agriculture, establishment of seed stores, popularization of improved agricultural practices, soil conservation and land reclamation, providing loans and other facilities for development of irrigation, agriculture and minor irrigation works, collection of data, maintenance of statistics in respect of matters relating to the implementation of Block Plans and preparation of such returns, statements and reports as the State Government and the Zila Parishad may require the Kshettra Samiti to submit, are some of the other obligatory duties of each Kshettra Samiti. The Block Development Officer, except in the border hill districts is under the Kshettra Samiti and works under the general control of the Pramukh of the Samiti, who reports on his work and conduct. On March 1, 1966, there were 87 B.D.Os. in the scale of Rs. 300-900 and the rest, who too are gazetted officers, in the scale of Rs. 225-500. Along with certain minor administrative and financial powers, they have powers to sanction loans up to Rs. 2,500 for each item and to sanction pay orders for the amount of subsidy not exceeding Rs. 1,000.

8.2.23. The Block Development Officer being the administrator, leader and co-ordinator of all programmes at the block level, has come to be regarded as common agency of all development departments and village leaders for purposes of execution of programmes



within the Block area. In this State the Family Planning Programme is also being implemented through the help of the Block agency. The staffing pattern in the blocks provides for the following subject-matter specialists:

- (a) Assistant Development Officer (Agriculture).
- (b) Assistant Development Officer (Co-operative).
- (c) Assistant Development Officer (Panchayat and Social Education).
- (d) Assistant Development Officer (Industries) (for one or more Blocks). (This post was subsequently abolished).
- (e) Assistant Development Officer, (Minor Irrigation and Works).
- (f) Assistant Development Officer (Women).
- (g) Assistant Development Officer (Health) or Sanitary Inspector.
- (h) Assistant Development Officer (Animal Husbandry)/Veterinary Surgeon.

In addition, there is a Medical Officer in Primary Health Centre with supporting auxiliary medical personnel of Compounders, Nurses, Midwives, Health Visitors, etc. The Assistant Development Officers have been merged in the corresponding departmental cadres and work under dual control. They work under the administrative control of the Block Development Officer and at the same time are linked to the corresponding district level departmental officers for technical guidance and supervision. All other officers and servants employed for the Kshettra Samiti are under the administrative control of the Block Development Officer who is the Chief Executive Officer of the Kshettra Samiti and is responsible for implementing the resolutions of the Kshettra Samiti and its Committees. The other staff working in connection with a Block usually is Progress Assistant, Gram Sevikas, Veterinary Assistant Surgeons, Stockmen, Veterinary Compounders, Accountants, Clerks, Typists, peons and drivers, etc. The total technical, ministerial (both class III) and Class IV staff working on March 1, 1966, was 18,184; 3,545 and 7,241 respectively.

8.2.24. The Gram Sewaks or the Village Level Workers, who numbered 8,975 on March 1, 1966, are the executors of the Development Programmes in the field according to the plan prepared for the Block. The Gram Sewak began as a multi-purpose worker but now he devotes his entire energies towards agricultural production and family planning. There are village level functionaries of the other development departments also, such as Panchayat Secretary, Co-operative Supervisor, etc. The general pattern is that a Block has ten Gram Sewaks; in the case of one and a half size Block and intensive agricultural area programme districts, their number goes up to fifteen. Technical guidance to a Gram Sewak is provided by the Assistant Development Officers.



8.2.25. The training of the field workers, Assistant Development Officer (Women), Gram Sewaks and non-official members of the Kshettra Samitis and Gaon Panchayats is under the control of Commissioner and Secretary, Agricultural Production and Rural Development who is assisted by Deputy Secretary (Administration) and Assistant Development Commissioner (Training) and Assistant Development Commissioner (Programme and Village Level Training). There are 20 Gram Sewak Training Centres in the State, under a Principal who acts as the head of office and Vice-Principals for Field Workers Training Wing, Refreshers Course Wing and Workshop Wing. In the teaching staff subject matter specialists of Agriculture, Horticulture, Panchayat, Social Education, Animal Husbandry, Co-operation, Soil Conservation, Agricultural Engineering, Civil Engineering and Public Health are posted as Instructors. For assisting in field training, 6 or 7 Village Level Workers (Development) have been posted at each Centre along with Publicity Assistant-cum-Projector Operators, Compounders, etc. The question of reducing the number of these training centres is under consideration. There is also a Social Education Training Centre at Bakshi-Ka-Talab, Lucknow, under an honorary Director with a whole-time Deputy Director, Extension Training Officers, Instructors and a Balbari Teacher.

### 3. MINOR IRRIGATION DEPARTMENT

This Department deals mainly with private minor irrigation schemes, as distinct from the State major or medium irrigation works. For the earlier history of minor irrigation works, paragraph 8.3.13(X) of chapter 8.3 on Agriculture Department dealing with Agriculture Engineering Section may be referred to. In 1952, the work was entrusted to the Irrigation Department under the Additional Chief Engineer and an Agricultural Engineering Circle was created under a Superintending Engineer at Kanpur. In 1955, while the subjects of drainage improvement, contour bundhis, etc., were retained with the Irrigation Department, co-ordination of food production schemes and Grow More Food loans and grants were placed under Agriculture Department and private minor irrigation schemes such as masonry wells, deep boring, individual tubewells, pumping plants, co-operative tube-wells, guls and procurement and transport of construction materials were transferred to Planning Department. The work was dealt with by the Development Commissioner at his headquarters with the assistance of a Deputy Development Commissioner (Technical) of the rank of a Superintending Engineer drawn from the Irrigation Department. Planning Department continued to deal with the work till October, 1964, when it was transferred to the Community Development Department and certain important schemes such as Crash Programme in selected Blocks in eastern districts, development of bundhis and tanks in Bundelkhand region and intensive development schemes of minor irrigation were added, resulting in an enormous increase in work at the headquarters and in the field.

Minor Irrigation schemes assumed considerable importance dur-

ing the Third Plan period, when it came to be realised that cultivators were very keen to have their private sources of irrigation and they could not possibly think of increased agricultural production without the means of irrigation being at their command which they could use whenever there was need for it without depending upon others. It was felt that if the programme was to be effective and real benefit was aimed at, there should be a full-fledged Department so that not only financial resources could be timely provided to cultivators but that adequate technical guidance should also be available. This approach needed a firm planning and detailed examination so that Minor Irrigation Works could be constructed in areas deficient in irrigation potential or where supplementary irrigation facilities were required. With all these objectives in view, a separate Department of Minor Irrigation with a Superintending Engineer as head of the Department was created on October 8, 1964 under the overall control of the Commissioner and Secretary, Agricultural Production and Rural Development, U.P. The Superintending Engineer, is also responsible for the schemes for Training on Minor Irrigation and Water Use, and formulation and implementation of Rural Manpower Mobilization Schemes in the State by Zila Parishads in co-ordination with the agencies of the Irrigation, Public Works, Forest, Fisheries and Agriculture Departments.

The Superintending Engineer, Rural Manpower and Minor Irrigation, with headquarters at Lucknow, has three Executive Engineers, one looking after Planning and other administrative work at the headquarters, the other supervising Rural Manpower Schemes, the third imparting in-service training to technical staff of the Department and acting as Director, Training. They are assisted by a few Assistant Engineers and an Agronomist.

Programmes for Minor Irrigation are handled at regional level by a Joint/Deputy Development Commissioner. Technical guidance is provided by regional Executive Engineers, Minor Irrigation, who have been provided at all divisional headquarters, except at Naini Tal and Pauri. They function in the same way as regional officers of any other department. The Commissioner of the Division is in overall charge of the work at the divisional level. The Executive Engineers are assisted by Assistant Engineers, Senior Mechanical Inspectors, Mechanical Inspectors and other boring staff who are also responsible for the implementation of Rural Manpower programme at the divisional level and for providing technical assistance to Zila Parishads who participate in this programme.

The District Planning Officer is responsible for execution of Minor Irrigation Programme at the district level. At the Block level there is an Assistant Development Officer, Minor Irrigation, who, besides looking after the Civil works in the Block, is also responsible for Minor Irrigation programmes. The Boring Mechanics/Assistant Boring Mechanics posted in the Blocks work under his supervision.

The Zila Parishads at the district level and Kshettra Samitis at

the block level are responsible for planning and implementation of the Minor Irrigation and Rural Development Programmes. With the formulation of Rural Engineering Service, Zila Parishads will be in a better position to effectively execute this programme. The Minor Irrigation funds for loans pass through Kshettra Samitis. At the Block level a Committee of non-officials has been formed charged with the responsibility of verifying such works. Plans for Minor Irrigation originate from Gaon Sabhas who also execute them with the technical guidance provided by the Department.

#### *Rural Engineering Service*

In view of the expanding agricultural programmes particularly Minor Irrigation and Rural Manpower, it has been considered necessary that the Engineering personnel posted at Block level and with Zila Parishads and working under Minor Irrigation and Rural Manpower set up should be integrated into a common Engineering Service so that the different works programmes could be executed through a unified agency with speed and efficiency and that such an agency may attract suitable talent. The State Government have since created with effect from May 12, 1966 a separate Rural Engineering Service, so that the State could avail of the services of good technical men for proper execution of these schemes in the field. The integrated Rural Engineering Service will consist of the posts of Superintending Engineer, Executive Engineers, Assistant Engineers, Senior Mechanical Inspectors, Mechanical Inspectors, Boring Mechanics and Assistant Boring Mechanics, Assistant Development Officers, Minor Irrigation and Zila Parishad Engineers and Overseers.

#### 4. STATE TUBE WELLS DIRECTORATE

In view of the importance of minor irrigation works for increasing agricultural production in the State, Government created with effect from July 31, 1965, a post of Director of Tube-wells for looking after the construction and operations of all State Tube Wells, as distinct from private tube wells, as were formerly looked after by the Chief Engineer, Irrigation. The Director, Tube Wells, who is of the rank of an Additional Chief Engineer, and who is under the administrative control of Irrigation Department at the Government level, functions under the operational control of the Commissioner, Agricultural Production and Rural Development. A Personal Assistant of the rank of Executive Engineer assists him in his work at the headquarters office which continues to form part of the office of the Chief Engineer, Irrigation. In the field, the Director carries out construction works and other operations through the Executive Engineers and other staff of the Irrigation Department in the Tube Well and other Divisions. Electrical and Mechanical Supervisors look after, with the help of Section Mistries, installation and maintenance of tube wells. Each tube well is placed under charge of a Tube Well Operator who runs it for supply of water to cultivators

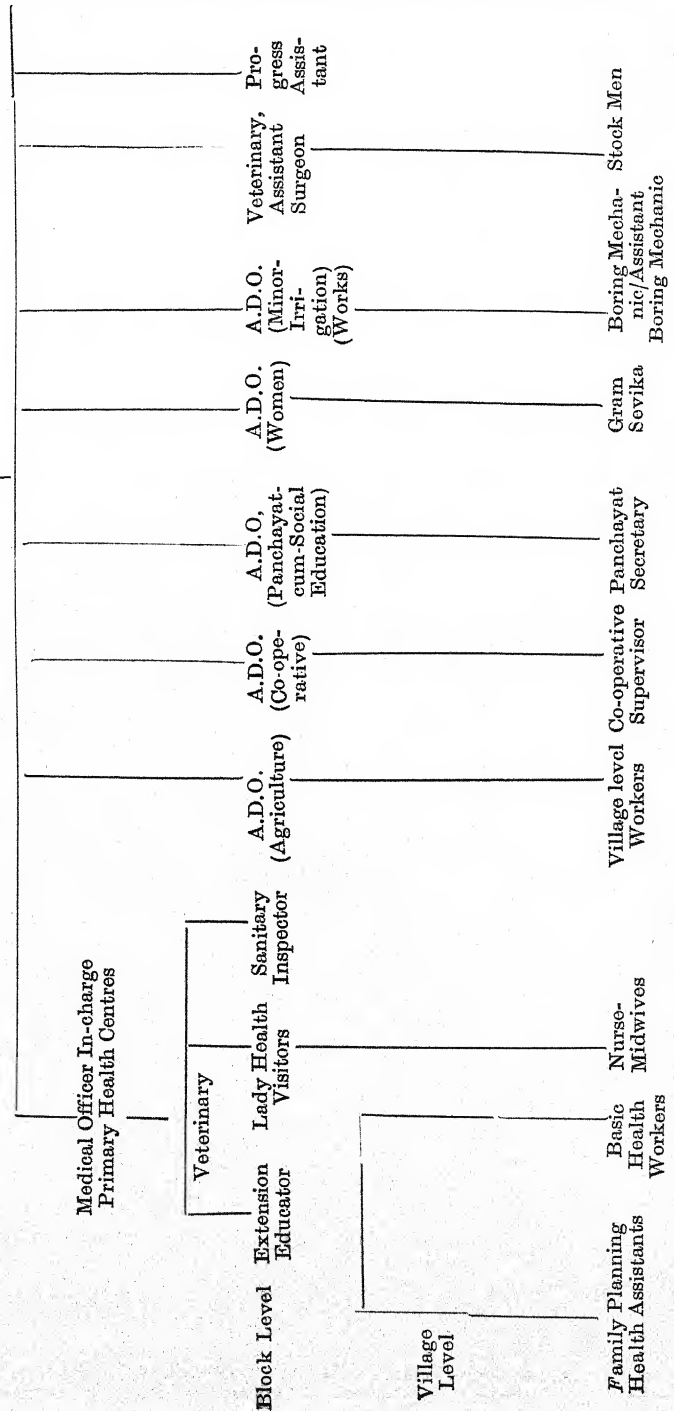
according to *Osrabandi*,<sup>6</sup> maintains the tube-well forms and is responsible to the Overseer/Electrical and Mechanical Supervisor for matters connected with the tube wells and allied civil works and to the *Zildar* for revenue work.

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6. *Osrabandi* means the arrangements made for equitable distribution of water amongst the cultivators sharing water from a particular outlet (*Kulaba*) of the State Irrigation Department or a private water-course. *Osrabandi* is done by the Irrigation Department in case sharers of water from a common source are unable to agree amongst themselves to an equitable distribution of available irrigation supplies. Sharers have to make an application to the Divisional Canal Officer under Section 68 of the Northern India Canal and Drainage Act, 1873. For details, see Manual of Orders of Irrigation Department.

CHART SHOWING ORGANIZATION AT THE BLOCK LEVEL

BLOCK DEVELOPMENT OFFICER



A.D.O.—Assistant Development Officer.

### 8.3.—AGRICULTURE DEPARTMENT

8.3.1. The Department of Agriculture was first set up in the year 1875. In the beginning the activities of the department were confined mostly to the collection of agricultural statistics, but a few model farms as well as a museum were set up. These model farms were opened for conducting trials of new varieties of crops. A silk farm at Dehra Dun, a tobacco farm at Ghazipur and a fruit farm in Kumaon Hills were established along with a museum of agricultural implements and water lift at Kanpur. About the year 1880, the department was merged with that of Land Records and renamed the Department of Agriculture and Land Records. The policy of the department was in subsequent years largely dictated by the recommendations of the Commissions of inquiry. The first such Commission was the Indian Famine Commission of 1880 which recommended that a separate department of agriculture should be set up at the Centre with counterparts in the Provinces. As a result of this a separate department of agriculture was set up at the Centre in 1881 and posts of Inspector General of Agriculture, Imperial Mycologist and Imperial Entomologist were created, the aim being to provide for basic research in agricultural sciences.

8.3.2. In 1893 an agricultural school was set up at Kanpur. The State Agriculture Department, the functions of which were generally dictated by the Agriculture Department at the Centre, was engaged mostly in the collection of agricultural facts and figures for the first three decades of its existence. The period of expansion, however, began in 1906. A scheme was then worked out for gradually increasing the number of circles, each according to its requirements and problems. The agricultural school at Kanpur was converted into a college equipped for teaching and centralised research, and it was re-organized by 1911. Research farms were opened for the Botanist and the Chemist in 1912. Expansion, however, ceased for the time being when the first world war broke out. After the close of the war, the expansion activities were resumed, research was extended in new directions and more farms were opened.

8.3.3. The constitutional changes which followed the passing of the Government of India Act, 1919, led to the enunciation of the State Government's agricultural policy in the resolution of 1920-21. The Agriculture Department was made an independent department on December 1, 1919 and completely severed from that of Land Records in 1920. The Director was for the first time appointed from amongst the technical staff. A number of officers were appointed to the Imperial Agricultural Service, which by that time had come into being, and sections on Plant Pathology, Agricultural Chemistry, Entomology and Economic Botany were created. Cattle-breeding was also added to the Department's activities with a Deputy Director-in-charge. Subsequently, however, this section was transferred to the newly created Animal Husbandry Department. On the recommenda-



tion of the Royal Commission on Agriculture, recruitment to the Imperial Agricultural Service ceased in 1924 and since then the department came to be manned by the members of the State (then Provincial) Agricultural Service.

8.3.4. Two agricultural schools were established one at Bulandshahr and another at Gorakhpur. A Rice Research Station was set up at Nagina in district Bijnor with a sub-station at Gorakhpur in 1930 under the aegis of the Indian Council for Agricultural Research. Research work on sugarcane was intensified by appointing a Director, Sugarcane Research Station, Shahjahanpur. In course of time more sections such as those of Gardens, Agriculture Engineering, Marketing, Bio-chemistry, which was later on merged with that of Fertilizers and Manures, Cotton, Jute, Crop Physiology, and Plant Pathology, making a total of eighteen independent circles of agricultural development, research and education were established.

8.3.5. When the Congress came into office in 1937, rural development as well as agricultural activities were intensified. In 1939 an Agriculture Reorganization Committee was set up but owing to the outbreak of the second world war, the recommendations made by the Committee could not be implemented. The matter was, however, resumed on the achievement of independence in 1947 and the department was reorganized in 1947 and 1948. Many of the agricultural circles and divisions were abolished and in their place four functional Deputy Directors of Agriculture were appointed, viz., for (i) Seed and Farms, (ii) Fertilizers and Manures, (iii) Horticulture and Demonstration and (iv) Field Extension. These officers were to function at the headquarters of the Director of Agriculture. In the beginning a few of the posts of District Agriculture Officers were in the U.P. Agricultural Service cadre and the rest in the Subordinate Agricultural Service. In 1957 all the Subordinate Service posts were converted into regular posts in the U.P. Agricultural Service cadre. A Section of Soil Conservation and reclamation of Usar Lands was also subsequently created at the headquarters and placed under the charge of a Deputy Director. Plant protection and soil survey work was started. A separate Research Station for hill fruits was established at Ranikhet. Since increased activities of the department and their proper extension to the fields needed organized publicity, a Bureau of Agricultural Information was set up in 1949 under a Deputy Director of Agricultural Intelligence and Publicity.

8.3.6. Under the Constitution of India, agriculture, including agricultural education and research, protection against pests and prevention of plant diseases, is a State subject. The Government of India, however, continue to play a very significant role inasmuch as they undertake, aid, promote and co-ordinate agricultural education, research and its application, development and marketing and act as a clearing house of information in regard to agricultural matters generally. They are also concerned with matters of regional and all-India importance. Owing to its far flung activities, it is not possible to

describe in any generalised terms the objectives of the department but in a broad sense the Agriculture Department aims at raising the general standard of cultivation in the State by persuading cultivators to adopt modern scientific agricultural practices, best suited to local conditions and obtaining better returns from their fields which may in turn contribute to the general welfare and prosperity of the State. The functions, again very broadly speaking, are to increase the food grain resources of the State, to develop the sources of supply of protective food such as fruits and vegetables by extending the area under cultivation for these items, intensifying cultivation and preventing losses to crops by insects, animal pests and diseases; to impart education and training, to conduct research and investigations into problems of practical importance; to maintain an efficient organization for manufacture of agricultural implements suited to local conditions, to develop agricultural marketing and to assess crop yields and to issue crop forecasts.

8.3.7. In the Secretariat, work of the Agriculture Department formed part of the Revenue Department but consequent upon the appointment of a technical Director in 1920, the Section was placed under the charge of Secretary, Industries. By 1936, the Section had taken the shape of a full-fledged department as a result of increase in work and in 1937 the Department was separated from Industries and was placed under the charge of Secretary, Agriculture, who also functioned as Secretary for Animal Husbandry and Co-operative Departments. With the progressive increase of work in the field of Co-operation, the Co-operative Department was separated from Agriculture in 1958 and was placed under the charge of Secretary, Co-operative. In December, 1964, the Directorate of Fruit Utilization was also re-transferred to Agriculture Department. The Working Group on Inter-Departmental and Institutional Co-ordination for Agricultural Production, 1963, set up by the Government of India under the chairmanship of Dr. Ram Subhag Singh, Union Minister for Agriculture also in the meantime recommended integrated approach towards agricultural production and unified administrative set up of all development departments at the district level. The State Government accepted the main recommendations and made certain changes in the administrative structure, and as already indicated in chapter 8.2, the Commissioner and Secretary, Department of Agricultural Production and Rural Development was made incharge of Agriculture Department also in 1964. He has also a field status to enable him to guide and supervise all agricultural activities in the State.

8.3.8. The Secretariat has the following officers:

Commissioner and Secretary, Agricultural Production and Rural Development	.. 1
Special Secretary	.. 1
Deputy Secretary	.. 2
Assistant Secretary	.. 1
Superintendents	.. 4

The subjects dealt with broadly in different Sections of the Department in the Secretariat are:

*Agriculture (A) Department*

Fertilisers and Manures, Dead Cattle Utilization Schemes, Multiplication, storage and distribution of improved seeds; Publicity, Agricultural shows and fairs, Plant Protection, Package Programme and Intensive Agricultural Area Programmes.

*Agriculture (B) Department*

U.P. Agricultural University, Agricultural Education & Training, Agricultural marketing, Soil Conservation and Usar reclamation, Horticulture, Government Gardens, Oil seeds development, Vegetable Research, Cold Storages, Grants-in-aid and U.P. Agro-Industrial Corporation, establishment of gazetted officers of the Agriculture Directorate and Area Programme for irrigation projects.

*Agriculture (C) Department*

Pilibhit Colonization Scheme, Kans Eradication, Agricultural Statistics, Agricultural Research Schemes financed by the Indian Council of Agricultural Research, Cotton Development, Jute Development, Bee Keeping, Lac Development, Van Mahotsava, Crop competitions and Vigyan Mandir Scheme.<sup>7</sup>

*Agriculture (Engineering) Department*

Plan and Budget Co-ordinations, Grow More Food Campaign, State Tractor Organization, Agricultural Engineering Workshops, Board of Agriculture, Fruit Utilization and Standing Committee of Legislature.

1—U.P. AGRICULTURAL UNIVERSITY, PANT NAGAR,  
DISTRICT NAINI TAL

8.3.9. To meet the demand of co-ordinated educational facilities in Agriculture, Veterinary Science, Agricultural Engineering and other allied subjects closely associated with agricultural production, an Agricultural University has been set up at the Tarai State Farm (now known as Pantnagar Farm), Pant Nagar, district Naini Tal as an autonomous body under the U.P. Agricultural University Act, 1958. The establishment of 'Rural Universities' was originally suggested by the University Education Commission (1948). The suggestion was followed up by the Government of India with the formation of a Joint Indo-American Team, which visited institutions both in U.S.A. and

7. Vigyan Mandir Scheme was transferred to this Department from Community Development (A) Department with effect from August 7, 1967. The four existing Vigyan Mandirs, one each at (i) Ratsar, Ballia, (ii) Masauli, Barabanki, (iii) Pitauna, Farrukhabad and (iv) Bachhrawan, Rae Bareilly now function only in the shape of Soil Testing Laboratories under the Director of Agriculture, Uttar Pradesh.

India. The State Government secured the services of Dean H. W. Hannah of the University of Illinois, who drew up a blue print for an Agricultural University closely resembling the Land Grant Colleges in U.S.A. in which institutions for Agriculture, Animal Husbandry, Agricultural Engineering, etc., are under one single authority and located in the same campus so that integrated teaching in the earlier stages is ensured and a student of Agriculture during the entire period of his college training is exposed to the atmosphere of different institutions which together constitute higher agricultural education in the broader sense. The University is located in the Pant Nagar Farm which is supposed to be the biggest single consolidated farm consisting of 16,000 acres of land,  $8\frac{1}{2}$  miles in length and  $3\frac{1}{2}$  miles in breadth and is used as laboratory for experiments and research. The University is comprised of the following colleges:

1. College of Agriculture.
2. College of Veterinary Medicine.
3. College of Agriculture Engineering & Technology.
4. College of Basic Sciences & Humanities.

It has administrative blocks, hostels and residential accommodation. A special feature of the University is that every student has to do a number of manual and technical tasks himself, including manual labour, for which he is paid. The Pant Nagar Farm, with its poultry, fisheries, dairy and bee-keeping sections, Tractor Workshop, central offices and residential accommodation, was transferred to the University with effect from September 20, 1961.

## 2—DIRECTORATE OF AGRICULTURE

8.3.10. The Director of Agriculture has his headquarters at Lucknow. He shares his duties with one or more Additional Directors of Agriculture, other functional Joint or Deputy Directors and officers at the headquarters and regional levels. The work falls broadly in three categories—(a) General Administration, (b) Planning and Development, and (c) Education & Research.

### A. GENERAL ADMINISTRATION

8.3.11. The Joint Director (Administration) looks after the General and Co-ordination Section whose duty is mainly to watch that prompt action is taken on the references received at the headquarters; Appointment Sections which deal with personnel posted at the headquarters and in the fields and Headquarters Administration Section, which deals generally with the office establishment at the headquarters. The Chief Accounts Officer, assisted by Accounts Officers, handles all the accounts, budget and audit inspections relating to the department. The Seeds and Farms Section, under a Joint Director (Seeds & Farms), looks after the management of State Farms and follows up the programme regarding multiplication and distribution of improved seeds. An Agricultural Officer (Farms)

attends to farms and a Technical Assistant (Seeds) supervises work relating to seeds. There is also a Personal Assistant to the Director of Agriculture. The Deputy Director of Agriculture (Training) looks after the In-Service Training Scheme, foreign training, working of Agricultural Diploma Schools, training of farmers, attends to general queries from the public and the preparation of Annual Administration Report of the Department.

#### B. PLANNING AND DEVELOPMENT

8.3.12. The Joint Director of Agriculture (Extension & Supplies) is responsible for the following programmes:

- A. Demonstration and Extension.
- B. Demand and supplies of fertilizers and green manure seeds.
- C. Storage and account of pooled and non-pooled fertilizers.
- D. Enforcements of Fertilizer Control Order.

He also acts as Chief Co-ordinating Officer for the agricultural programmes within the Department and maintains liaison between agriculture and community development departments. He is assisted in his work by a Deputy Director of Agriculture (Supplies) for distribution of fertilizers and manures and green manure seeds. The Joint Director of Agriculture (Eastern Districts and Package Programmes) looks after the accelerated development programmes in the four eastern districts of Ghazipur, Jaunpur, Azamgarh and Deoria taken up in 1964 on the recommendations of a Joint Study Team appointed by the Government of India, in addition to Intensive District Agricultural Programmes in other selected districts of the State. He is also responsible for the successful execution of High Yielding Varieties Programmes launched in the State. The Deputy Director (Head-quarters) is responsible for the formulation of agricultural Plan of the State. The work of production, storage and distribution of disease free potato seeds was also taken up from 1965-66 under a Deputy Director (Potato).

8.3.13. Other specialized sections are:

(i) *Fertilizers and Manures Section*: This section is under the charge of the Deputy Director of Agriculture, Fertilizers and Manures, who is assisted by two Manure Officers, one Town Compost Officer, one Campaign Officer and one Chief Fertilizer Inspector. This section had its beginnings in the Bio-chemistry section which was set up in 1947 under a Provincial Bio-chemist at Lucknow. It was converted in 1949 into Fertilizers and Manures Section and the post of Provincial Bio-chemist was designated as Deputy Director. This section deals with the procurement, development and distribution of all types of fertilizers, preparation of urban and rural compost and the dissemination of technical advice to cultivators about their use, utilization of carcasses of dead cattle and organizing 'Better Cultivation Campaigns'.



(ii) *Agricultural Marketing Section*: This Section aims at the development of agricultural marketing and securing for the farmer his due share of the price paid by the consumer. It is headed by a State Agricultural Marketing Officer who is assisted by three Assistant Agricultural Marketing Officers. The activities of this Section can be classified under (1) Marketing Research, (2) Marketing Development and Intelligence (3) Marketing Reforms through legislation and (4) Advice to marketing co-operative and warehousing corporations and growers. It conducts through Agricultural Marketing Inspectors posted at various places, survey of agricultural commodities in respect of supply, demand, prices, processing, standardization and grading according to the programme outlined by the Directorate of Marketing and Inspection, Government of India, AGMARK quality marking scheme and examination of samples of produce to determine their standards of quality; establishing grading stations in the State and giving publicity to AGMARK products. An Assistant Agricultural Marketing Officer is stationed each at Hapur, Lucknow and Kanpur centres.

(iii) *Plant Protection Section*: Through this section the Agriculture Department organizes and undertakes large scale campaigns against pests and diseases of crops and fruit trees in the State. Control operations against pests of stored agricultural commodities are also undertaken under the U.P. Agricultural Diseases and Pests Act, 1954. Training is given to cultivators in simple matters of plant protection in the event of invasion by locusts. The plant protection service assists District Magistrates in combating this menace under the provisions of the U.P. Locust Destruction Act, 1951. The Section is headed by the Deputy Director, Plant Protection, who is assisted by Assistant Plant Protection Officers and an Assistant Locust Officer. Most of the activities of this section are carried on through the State Plant Protection Service which consists of eight Regional Plant Protection Centres located each at Lucknow, Faizabad, Gorakhpur, Varanasi, Allahabad, Agra, Meerut and Bareilly and numerous sub-centres located in the districts as are in the plains of the State under a Senior or Junior Plant Protection Assistant. In the hill districts, the plant protection work is carried out by the staff under the supervision of the Director, Fruit Utilization, U.P., Ranikhet.

(iv) *Cotton and Oil Seeds Development Section*: This section deals with the supervision and execution of the cotton and oil seeds extension and seed multiplication programme in the State and aims at ensuring increase in overall acreage under cotton and oilseeds, yield per acre and its quality by distributing improved *desi* and foreign varieties of seeds. The State receives grants from the Indian Central Oilseeds Committee to meet the cost of oilseeds development schemes, and from the Indian Central Cotton Committee, in whole or part, for Cotton Research Schemes. The department grants subsidies to cultivators on irrigation charges, fencing expenses or for fertilizers under various development schemes. The Section also looks after the administration of the U.P. Cotton Ginning and Pressing Factories Act,



1949, which provides for controlling the admixture in cotton while ginning and pressing, through licenses issued to the factories by the Director of Agriculture. The staff consists of a Deputy Director of Agriculture (Cotton) assisted by a Cotton Development Officer and an Oilseeds Extension Officer.

(v) *Jute Development Section*: With the partition of the country, jute industry, which is an important foreign exchange earner, was faced with a critical situation as most of the jute producing areas went over to Pakistan. Against the country's annual requirement of 65 lakh bales of raw jute, the total production in India in 1948 was only 16 lakh bales. The annual requirement of Uttar Pradesh alone is approximately 1.60 lakh bales. With a view to becoming self-sufficient in this important commodity, it was necessary to make an all out effort to increase its production within the country. In Uttar Pradesh, the Jute Development Scheme was launched in February, 1948 with a view to develop jute farming in low lying and waste lands of the State where food and other crops did not thrive well. The field of operation selected was the low lying areas of Tarai, north of the river Ghagra, stretching from Lakhimpur-Kheri to Gorakhpur. To start with, there were in all twenty centres in six selected districts. In the beginning, the scheme was wholly financed by the State Government, but with the rapid expansion and success achieved, the Government of India started sharing from the year 1950 half of the cost incurred on it. The scheme is at present in operation in 65 centres covering 23 districts of State and is a permanent feature of the Agriculture Department since 1957. The Section is under the charge of a Jute Development Officer. The jute growing belt, stretching in the sub-montane tracts of the State, is divided in seven Zones where the jute staff attends to the requirements of improved seed, fertilizers and taqavi loans of jute growers, assists them in the cultivation and marketing of jute, provides facilities for seed drills, and interculture operations; arranges for practical demonstrations and training in the improved techniques of 'quality' fibre production and holds competitions for giving awards to the growers of quality fibre. The State gets technical and financial help for conducting these activities through the Indian Council of Agricultural Research. Sann-hemp is another important fibre crop of this State and work on exploratory basis has been taken up by the Jute staff in important sann-hemp growing districts of the State, viz., Allahabad, Azamgarh, Pratapgarh and Varanasi. The Section is now responsible for all matters connected with the survey, development and marketing of all vegetable and bast-fibre crops. The Government of India promulgated under section 3 of the Agricultural Produce (Grading & Marking) Act, 1937, the Jute Grading & Marking Rules, 1960, in order to ensure that only graded jute fibre is sold in all the jute markets of the Indian Union. With the help of field staff, cultivators are being persuaded to produce only graded fibre for disposal in the market and suitable training is imparted to them.

(vi) *Statistical Section*: The Statistical Section was created in

1940 with its headquarters at Kanpur with a view to making available to the departmental Research Officers the latest statistical techniques in the investigation of their problems. It then consisted of only one Statistician and a Computer, in addition to four clerks. The headquarters of the Section were, however, transferred from Kanpur to Lucknow in 1942 and it became a part of the headquarters office of the Directorate. The functions and activities of the Section formerly under a Chief Statistician, however, gradually increased and it is now under the charge of a Joint Director (Statistics), who is assisted by several Statisticians and other staff.

The functions of this Section fall into two broad categories, viz., (1) those connected with the research work undertaken by the Department, and (2) those concerning the collection of agricultural statistics, assessment of developmental measures, conduct of socio and agro-economic sample surveys. These include, under the first category, planning of field and laboratory experiments, besides other research investigations conducted by departmental officers, analysis and interpretations of the experimental and other data; and undertaking research in the methodology applied to agricultural statistics. Under the second category, these broadly comprise of conduct of crop estimation surveys by random sampling for the estimation of average yield and out-turn of important food and non-food crops, carrying out of sample surveys for assessment of developmental measures undertaken by the Department; undertaking of sample surveys for the pre-harvest estimation of area and yield of crops, and estimation of harvest prices of crops. This Section organizes the training of the field staff in the conduct of these surveys. It also prepares Weekly Crop and Weather Reports, Fortnightly Reports on Food Crop Outlook and the monthly Agricultural Reports of the State. An annual Bulletin of Agricultural Statistics is being published by it since 1958-59. The Annual Season and Crop Report, which is a publication of the Board of Revenue, as also regular crop forecasts for 29 important food and non-food crops is prepared in collaboration with this Section. This section works in very close collaboration with the Board of Revenue.

(vii) *Soil Conservation Section*: This Section was added to the Agriculture Department in 1948-49 with the establishment of a Soil Conservation Research & Demonstration Farm at Rehmankhara, district Lucknow. The activities were further extended during 1956-57 by starting a training centre at the Farm. In the same year, a Pilot Soil Conservation Project was launched in Malwapur, district Lucknow, on ten thousand acres watershed of Behata Nala to test developed soil conservation techniques. Subsequently, an Extension Wing of Soil Conservation was started in 1959 through which protection of culturable lands from erosion was taken up in Agra, Jalaun, Jhansi, Mathura, Mirzapur, Sultanpur and Tehri Districts. Later on two more training centres for field workers were opened at Majkhali, district Almora and Mauranipur, district Jhansi. Soil Conservation work in the State is conducted by the Department under the Uttar

Pradesh Soil and Water Conservation Act, 1963. The Act provides for the establishment of a State Soil Conservation Board and of District Soil Conservation Committees, whenever it is decided to start soil conservation work in any district. This section, which is headed by a Joint Director of Agriculture (Soil Conservation), has two wings. These are:—

*Research, Demonstration and Training Wing*

This Wing is under the charge of a Deputy Director, Soil Conservation (Research) and deals with scientific investigation into the problems of and related to soil conservation, viz., soil erosion, reclamation of alkali and saline soils and usar lands; dissemination of scientific information to and training of the extension staff; and setting up and running of pilot projects to demonstrate various soil conservation practices.

The Wing controls the working of the Research-cum-Demonstration-cum-Training Farm at Rehmankhara and the Training Centre at Majkhali and Mauranipur.

*Extension Wing*

For soil conservation extension work, the Joint Director is assisted by six Deputy Directors, Soil Conservation, posted at Lucknow, Allahabad, Jhansi, Agra, Dehradun and Pipri (Mirzapur) for supervising the extension programme in the field. Along with the Rehmankhara Farm, there are two Usar Reclamation Farms, one at Katiyar, P.O. Malihabad and the other at Rahimabad, both in district Lucknow.

(viii) *Horticulture Section*: Horticultural development work in the regions has been entrusted to Dy. Directors of Horticulture located at Agra, Allahabad and Lucknow. The work in Meerut Division is looked after by the Director, Horticultural Research Institute, Saharanpur, along with the general research work and that in Gorakhpur Division by the Chief Horticulturist, Fruit Research Station, Basti. The Dy. Director of Horticulture at Lucknow looks after the work of Faizabad Division and Dy. Director of Horticulture, Allahabad of Varanasi Division. The hill districts of the State are under the charge of the Director, Fruit Utilization, Ranikhet. The Deputy Director of Horticulture, Lucknow, is in charge of the Horticulture Section at the headquarters and is assisted by a Horticulturist.

(ix) *Bureau of Education, Extension and Training*: This section is under the charge of a Dy. Director, (Education, Extension and Training), and is responsible for disseminating scientific knowledge of agriculture by education through shows, fairs, radio talks and publications to cultivators. A start was made with the setting up of a Bureau of Agricultural Information in 1949 with the three-fold object of carrying to the cultivator the results of scientific research in Agriculture, Cane Development and Animal Husbandry in popular

language, keeping the farmer in the closest touch with the agriculture expansion programme of the State and providing answers, whenever possible, to questions posed by cultivators. The Bureau disseminates amongst agriculturists facts and figures about irrigation facilities, types of soil, rotation of crops in different zones of the State and the economics of cropping. A monthly news letter '*Krishi aur Pashupalan*' and numerous leaflets, bulletins, maps and special publications of wider interest are also published.

(x) *Agriculture Engineering Section*: This Section was originally set up in 1947 under the Chief Agricultural Engineer. When the Food Production Department was set up at the headquarters of the Government in 1949, minor irrigation schemes in eastern districts of the State, comprising of tubewells, masonry wells, etc. were placed under the charge of the Chief Agriculture Engineer, while those in western districts together with the State Tractor Organization set up for reclamation of land in the State were placed under the Chief Engineer, Food Production. In 1952, posts of both the Chief Engineers were abolished and the work was transferred to Irrigation Department. A change was again made in 1955, when the State Tractor Organization Workshops at Nilgaon, district Sitapur, and Lucknow along with the Research Wing of the Bareilly Central Workshops with headquarters at Lucknow were retransferred to the control of the Director of Agriculture to form the Agriculture Engineering Section of the Department. This Section is at present divided into three divisions, viz., (i) Extension, (ii) Workshop Service and (iii) Research, designing and testing of improved agricultural implements. Each division is under the charge of an Agricultural Engineer.

The Agricultural Workshop at Talkatora (Lucknow) looks after the repairs and overhauling of tractors and other machinery, manufacture of parts of tractors and of other improved agricultural implements. The workshop has since been transferred to the U.P. State Agro-Industrial Corporation, Lucknow.

The guidance and supervision of the work regarding designing and testing of improved implements and machinery is carried out at the Research, Testing and Training Centre in Improved Agricultural Implements, Kanpur and at the Implement Testing Station at Talkatora, (Lucknow).

### C. EDUCATION AND RESEARCH SECTION

8.3.14. This section is under the overall charge of the Additional Director of Agriculture who is assisted by a Research-cum-Co-ordination Officer at the headquarters. The activities of the section could be classified separately into those of (a) Education and (b) Research.

#### (a) Education

1. *Agricultural College, Kanpur*. It undertakes teaching and centralized research in agricultural subjects and provides trained per-

sonnel for manning departmental schemes for research and development. It is recognized by the Board of High School and Intermediate Education, Uttar Pradesh for Intermediate in Agriculture and is affiliated to the Kanpur University for B.Sc. (Agri.), M.Sc. (Agri.) and Ph.D. degrees. There is a Government Agricultural Library attached to the College.<sup>8</sup>

2. *Agricultural Schools at Bulandshahr, Gorakhpur and Chirgaon (District Jhansi).*—These Schools undertake the training of the sons of agriculturists in the practice of agriculture and allied subjects to make them fit for village level extension work. The duration of the course conducted at these Schools is two years, at the end of which a Diploma in Agriculture and Extension is awarded to the successful candidates.

(b) *Research*

1. *Agricultural Chemist to Government, Uttar Pradesh, Kanpur.* He is responsible for conducting research on soils, manures and fertilizers, land reclamation and plant nutrition. Beside the main station at Government Research Farm, Kanpur, research work on soils is also carried out at the Soil Laboratories at Rudrapur, Aligarh, Jhansi and Varanasi.

2. *Entomologist to Government, U.P. Kanpur.* Research and investigations in entomological problems concerning Agriculture in the State with the main emphasis on finding out effective control measures against insect pests (including non-insect animal pests such as rats, porcupines, eelworms, etc.) of crops, vegetables, fruits, fruit trees, stored grain and other agricultural commodities, is undertaken by him.

3. *Plant Pathologist to Government, U.P. Kanpur.* The duties are research and investigations in diseases of commercial and food crops, fruits trees and stored food commodities caused by fungi, bacteria, viruses, nematodes in association with bacteria and symptomological diseases and their efficient methods of control; and for enforcement of Plant Quarantine Regulations governed by the Destructive Insects and Pests Act, 1914, and issue of phytosanitary certificates for propagating nursery stock and seeds for export.

4. *Crop Physiologist to Government, U.P., Kanpur.* He conducts research in the physiological aspects of crops for their efficient and healthy production to suit local conditions and economic needs.

5. *Director, Main Sugarcane Research Station, Shahjahanpur.* Research work on soils of the State to evolve sound manurial practices for sugarcane based on soil characteristics, agronomical and

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8. The status of the College has since been raised to a high level Institute of Agricultural Sciences under a Director, who has the status of head of a department. The Institute will now co-ordinate the activities of the Department in the fields of Agricultural Education, Research and Extension and provide modern facilities for teaching and research.



physiological aspects of crop, sugarcane pests and diseases is supervised by him. There are two sub-stations one at Muzaffarnagar and another at Gorakhpur to deal with local problems. A large number of zonal stations in factory areas are also maintained to study local problems and for providing advice for their solution. Research work for Gur and khandsari industry is also carried out.

6. *Maize Breeder, Tarai State Farm (now Pant Nagar Farm), Phoolbagh, district Naini Tal.* This officer is concerned with improvement of maize crop through modern hybridization techniques and producing of double-cross seeds.

7. *Director, Vivekanand Laboratory, Almora.* Improvement of all food crops through hybridization techniques is the main function of this laboratory.

8. (i) *Economic Botanists to Government for Oilseeds & Millets, Rabi Cereal, Legumes and Vegetables at Kanpur and for Potato at Mukteshwar, Naini Tal.*
- (ii) *The Economic Botanist to Government (Paddy), Faizabad.*
- (iii) *The Economic Botanist to Government (Cotton, Tobacco and Fibres), U.P., Bulandshahr.*
- (iv) *The Assistant Economic Botanist to Government (Paddy), U.P., Nagina, district Bijnor.*

They are engaged in conducting applied researches on breeding and selection of crops assigned to each with the object of evolving improved varieties suited to different soil climatic conditions and the economic needs of the various tracts in the State. They are also responsible for supply of pedigree seeds of the improved varieties of crops to Government Research Farms for multiplication; evolving cultural and manurial schedules of crops and conducting purity tests of the seeds released by the Department for distribution.

The following sub-stations carry out research particularly on the crops noted against each.

1. Mainpuri	Groundnut
2. Rudrapur	Toria
3. Ghaghraghat (Faizabad)	Crops suited to flood affected areas
4. Raya (Mathura)	Cotton
5. Sarai Miran (Farrukhabad)	Tobacco
6. Gorakhpur	} Paddy
7. Pachperwa (Gonda)	
8. Tisuihi (Mirzapur)	

9. *Officer Incharge, Flood Research Station, Ghaghraghat (Faizabad).*



10. *Lac Development Officer, Mirzapur*
11. *Officers Incharge, Regional Research Stations at Meerut, Nawabganj (Bareilly), Hardoi, Amrukh (Jhansi) and Varanasi.*
12. *Fruit Research Station, Basti.*

These Research Stations, deal with agricultural problems peculiar to each region and try out the recommendations of the various Research Officers to ascertain their suitability for the region, so that these may fulfil the regional requirements providing maximum benefit to the cultivators. Training to Extension Service staff is also imparted at these stations.

8.3.15. *State Apiarist, Government Bee-keeping Station, Jeolikote, District Naini Tal.* In the beginning, Bee-keeping and Honey Development work was organized under an Honorary Apiarist, who took necessary instructions from the Entomologist to the Government. Subsequently, a State Apiarist was appointed in 1956 with necessary field staff. He attends to the demonstration and extension of modern methods of Bee-keeping by giving short courses of training to those who are interested.

### REGIONAL AND FIELD OFFICES

8.3.16. The State is divided into ten Agricultural Regions corresponding to the Revenue Divisions except for Garhwal Division. The distribution of districts in each Region also corresponds to the civil administration units. A Deputy Director of Agriculture is in charge of each of the Regions with headquarters at Agra, Allahabad, Bareilly, Faizabad, Gorakhpur, Jhansi, Lucknow, Meerut, Naini Tal and Varanasi. A Farm Management Officer, an Asstt. Agricultural Engineer, a Regional Accounts Officer, a Plants Protection Asstt. (S.A.S.-Gr.I) and an Assistant Chemist (S.A.S., Gr.I) have been provided in each Region to assist the Deputy Director besides ministerial and accounts staff.

8.3.17. It is the duty of the Regional Officer to initiate schemes for improvement of agricultural conditions in his Region; prepare and execute agricultural production plans and provide technical guidance to District, Block and Training Centre Staff for such execution; carry out evaluation studies; establish effective liaison with the Commissioner, Collectors or Dy. Commissioners, Deputy or Assistant Development Commissioner of the Region and also important non-official agencies; and maintain co-ordination with the zonal heads of development departments, viz., Co-operative, Cane, Forest, Irrigation, P.W.D., Animal Husbandry, etc., for carrying out a co-ordinated agricultural programme in the Region. Soil conservation extension work is looked after by separate Deputy Director (Soil Conservation).

8.3.18. The Deputy Directors of Horticulture incharge of Horticultural Ranges attend to all the horticultural development work in the districts under their charge through the District Horticulture Officers. They mainly deal with proper maintenance of Government

gardens, nurseries and Nazul gardens; extension of area under new orchards and rejuvenation of old ones by giving free advice to orchardists and supply genuine plants to the public; production of good fruit, vegetable and other plant seeds for sale at cheap rates, subsidizing registered nurseries; procurement storage and supply of disease-free seed potato to the growers and afforestation work in the areas adjoining Rajasthan border.

8.3.19. Superintendents, Government Gardens at Lucknow, Faizabad, Allahabad and Rampur are directly responsible for horticultural development in a group of districts in each range, and are, in all respects, under the administrative control of the respective Deputy Director of Horticulture.

8.3.20. An Agricultural District corresponds to the Revenue District of the State. The District Agricultural Officer is assisted by an Additional District Agricultural Officer. He works under the local control of the District Planning Officer and his office is a part of the District Planning Office. All correspondence between him and the departmental officers is routed through the D.P.O. This arrangement is, however, worked in such a manner that the departmental control over him is not in any way impaired. That is, he acts as a functional specialist to the D.P.O. and is at liberty to look after the departmental work. He is also *ex-officio* Member of the Zila Parishad for execution of the agricultural programmes framed by the Zila Parishad. The District Agricultural Officer is assisted in agricultural programmes by a Senior Mechanical Assistant and also by a Plant Protection Assistant, except that there is no Plant Protection Assistant under the District Agricultural Officer in those districts where one is attached locally with the Regional office. The District Agricultural Officer is in overall charge of all agricultural activities in the district such as horticulture, plant protection, soil conservation (general), cotton and oilseeds extension work, and jute development work in certain districts. To supplement the field staff in the districts, staff of different schemes such as Oilseeds Extension Inspector, Cotton Development Inspector (in West, Central and Bundelkhand tracts), A.D.O. (Soil Conservation) in certain Blocks, Jute Development Inspectors in certain places, District Horticulture Inspector, are also posted in addition to the technical staff mentioned earlier. The A.D.O. (Agriculture) who is in charge of agricultural programmes in all the Blocks and who is now a part of the extension agency of the Community Development works under the technical guidance of the District Agriculture Officer, but administrative control over him rests with the Block Development Officer.

8.3.21. There are a number of Seed Multiplication/Demonstration Farms in each district. Each such farm is under the local charge of an Agricultural Inspector, Group I or II (known as Farm Superintendent) depending upon the size and importance of the farm. State Livestock-cum-Agriculture Farms, Soil Conservation and Usar Reclamation Farms are also being utilized for this purpose. There also exists a Seed Store (apart from Co-operative Seed Stores), mostly at

the headquarters of such Block, under the local charge of an Assistant Agriculture Inspector (SAS-Gr. III) known as Seed Store-Incharge and working under the supervision of Agricultural Inspector or A.D.O. (Agri.) from where improved seeds, fertilizers, implements, insecticides, etc., are distributed to agricultural co-operative societies or cultivators. The technical staff provides the necessary technical know-how by personal contacts and demonstrations.

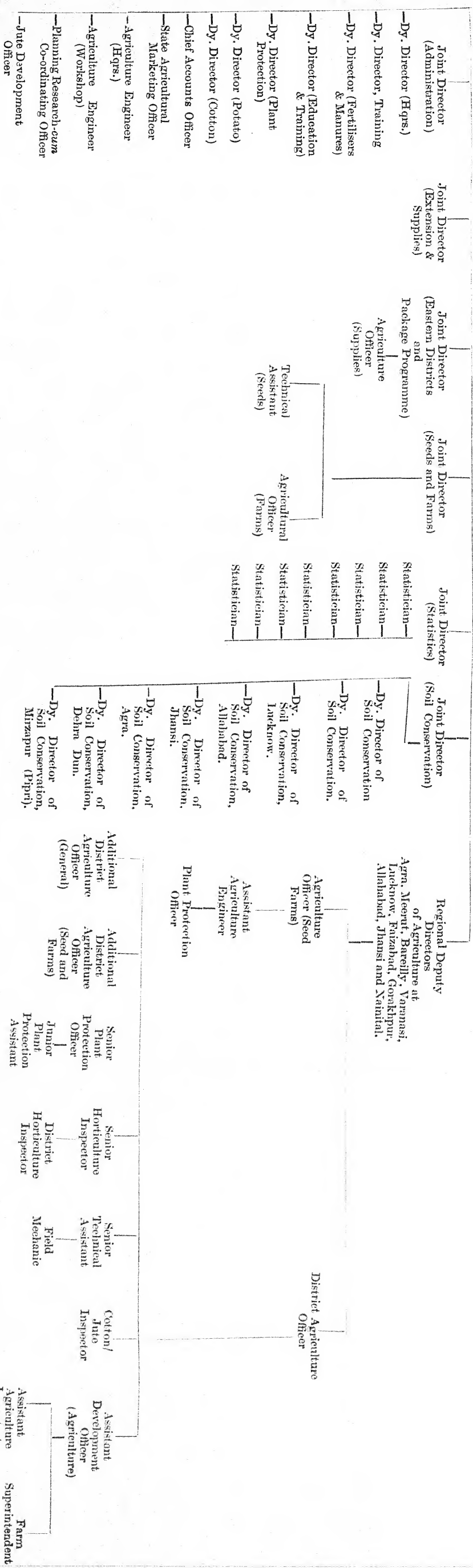
8.3.22. A District Soil Conservation Officer of U.P.A.S. (Junior Scale) looks after the soil conservation work, with the help of necessary field and office staff, in the district taken up for such schemes. The Plans and estimates of the schemes prepared by him are considered by the District Soil Conservation Committee before they are forwarded by the Collector of the district to the State Government for consideration and approval by the State Soil Conservation Board. After the formalities of publication, and calling objections on the scheme are completed, the District Soil Conservation Officer may, by notice, direct any beneficiary to carry out at his own cost any work specified in the notice in the manner and within the period mentioned therein. If any beneficiary fails to carry out any work as directed, the District Soil Conservation Officer can carry it out himself and take action for recovery of the cost from the beneficiary under the provisions of the U.P. Soil and Water Conservation Act, 1963. The field work is executed through peoples' participation and integrated co-operation with Block agency with the help of Assistant Development Officer (Soil Conservation), Assistant Development Officer (Agriculture) and V.L.Ws., all trained in Soil Conservation. The Research-cum-Demonstration-cum-Training Farm at Rahmankhera, district Lucknow and the Training Centres for Soil Conservation at Majkhali (district Almora) and Mauranipur (district Jhansi) are under the charge of senior officers of U.P.A.S. The Rahmankhera Farm has specialists in Agronomy, Soil Chemistry, Forestry and Agrostology in U.P.A.S. (Junior Scale), while the other two centres have specialists of Subordinate Agricultural Service. For Jute Development Schemes, the Jute growing belt stretching in the submontane tract of the State is divided into several zones, each under the charge of a Jute Development Inspector. In Intensive Agricultural Area Programme districts, one Additional District Agricultural Officer (Package) has been provided for effectively supervising the intensive programme.

8.3.23. Some of the important Boards, Committees, etc., are:

1. *The State Board of Agriculture.* The Board aims at regulating on suitable lines the research and development work on agriculture. Its main functions are to plan and guide agricultural research, to invite suggestions from practical farmers regarding special problems confronting them in various parts of the State; to utilize the services of university scientists to help and solve agricultural problems; to scrutinize the progress of agricultural development in the State to evaluate the results of research and to serve as a link between

Director of Agriculture

Addl. Director of Agriculture





the State Government, Indian Council of Agricultural Research and Central Commodity Committees. It consists of senior departmental officers: the Principal, Agricultural College, Kanpur; representatives of the Forests, Irrigation and Cane Departments, Universities, farmers and Industry, and also nominees of the Government.

2. *The State Soil and Water Conservation Board.* This Board, with the Minister incharge of Agriculture as Chairman and the Secretary to Government in Agriculture Department as its Secretary, has been set up under the U.P. Soil and Water Conservation Act, 1963, to consider and approve soil conservation plans for the State as formulated by District Soil and Water Conservation Committees, to devise ways and means for their execution and to perform such other functions as are provided in the Act and Rules framed thereunder. Members of State Legislature and persons nominated by the State Government are its members.

3. *The State Supervisory Body of Jute.* It is headed by the Commissioner and Secretary for Agricultural Production & Rural Development, Uttar Pradesh, with Director of Agriculture; Registrar, Co-operative Societies; Director of Industries; Chief Jute Development Officer, U.P.; a representative of the Jute Mills; two representatives of Jute growers, and one representative of the Jute Trade as its members. Its objects are to review the progress of work in jute production in the State. The body normally meets twice a year.

4. *District Soil and Water Conservation Committee.* This Committee is set up whenever it is decided to start soil conservation work in any district. It is presided over by the Collector. The District Planning Officer, the District Agricultural Officer, the Divisional Forest Officer and the Executive Engineer, Irrigation Department, are its members. The District Soil Conservation Officer acts as its Secretary. The plans and estimates prepared by the District Soil Conservation Officer for Soil Conservation work in the district are considered by the Committee before they are forwarded by the Collector to the State Government for consideration and approval by the State Soil Conservation Board.

5. *State Cotton Development Committee.* This Committee was constituted by the State Government on the recommendations of the State Board of Agriculture in 1955 originally as Standing Committee for Cotton in U.P., to review the progress of development in the State and to explore the possibilities of increasing the area under cotton cultivation.

6. *State Oilseed Committee.* The Committee was framed by the State Government in 1959 to review the progress and to draw up future programmes of work both for oilseed development and research schemes, to ascertain difficulties and bottlenecks and to suggest their solutions.

7. *State Tobacco Advisory Committee.* This Committee, with the Deputy Minister for Agriculture; Director of Agriculture; Regis-



trar, Co-operative Societies; Director, Tobacco Development, Madras; Economic Botanist (Cotton and Tobacco), U.P., and certain non-officials including Manager, Indian Tobacco Development Co., Saharanpur as Members, studies the problems of development of tobacco crop, and recommends measures for safeguarding the interest of tobacco growers, minimum prices of green leaf tobacco, etc.

8. *Garden Advisory Committees.* These Committees at Agra, Allahabad, Faizabad, Lucknow, Gorakhpur, Saharanpur and Jhansi under the Chairmanship of the respective Commissioner and at Ram-pur under the Chairmanship of the Collector, with official and non-official members and Superintendent, Government Gardens as Secretary, advise the Director of Agriculture on all matters connected with gardens.

### 3—U.P. STATE AGRO-INDUSTRIAL CORPORATION LTD., LUCKNOW

8.3.24. This Corporation has been set up in the public sector in March, 1967 with the objects of manufacturing equipment and machinery as also of establishing industries necessary for modernising and intensification of agriculture. The Agricultural Workshops at various places will be placed under the control of the Corporation. It will also arrange for fertilizers, insecticides, plant-protection equipment, small tractors and power tillers, pumping plants, etc. The authorized capital of the Corporation will be rupees five crores. The Corporation is a part of an all-India scheme of establishing such Corporations in the States and the Government of India shall contribute 25 per cent. of the capital subject to a maximum of Rs. 50 lakhs.

### 4—DIRECTORATE OF FRUIT UTILIZATION

8.3.25. Horticulture has been originally the concern of the Agriculture Department. Steps to improve the conditions of old orchards through rejuvenation techniques were taken up during 1946-47. Work was carried through Government Gardens and Hill Fruit Research Station at Chaubatia and Plant Protection Nurseries in the districts of Almora and Garhwal. The experiments showed promise and the scheme resulted in the setting up of the Directorate of Fruit Utilization, U.P., in 1953 under the Industries Department with the object of stepping up horticultural production in the hill districts of the then Kumaun Division which now include those of Uttarakhand Division also, and of linking up horticultural research and development of the State with industrial utilization of horticultural produce, viz., its processing and preservation, so as to ensure an economic return to growers and promotion of subsidiary food industries. The work of fruit preservation and canning which was till then carried out by the Directorate of Cottage Industries at Daliganj (Lucknow) and Mobile Tuitional Classes Teams was also transferred to the new Directorate. Industrial problems concerning large scale utilization of fruits throughout the State were thus made a part of the Directorate's responsibility.

ties. The work relating to the Directorate was, however, re-transferred to the Minister for Agriculture in September 1964, and the Directorate formally transferred to Agriculture Department in December 1964.

8.3.26. The Director, Fruit Utilization, U.P., has his headquarters at Ranikhet, District Almora and is assisted at the headquarters by a Deputy Director, Fruit Utilization (Headquarters), Extension Service Officer, Plant Protection Officer, Horticulturist and an Accounts Officer. Besides Accounts and General Sections dealing with accounts and establishment matters, the headquarters office comprises of two main sections, viz., Horticulture and Industrial Utilization Sections.

8.3.27. The activities of the Horticulture Section comprise of development, research and training carried out through State-owned farms, orchards and nurseries under the direct supervision of the Superintendents of Government Gardens at Chaubatia, district Almora; Dunagiri, district Almora; and Bharsar, district Pauri-Garhwal; the Horticulture and Plant Mobile Teams and Plant Protection Centre, Ranikhet under the direct supervision of the Extension Service Officer (Headquarters) and the Government Hill Fruit Research Station, Chaubatia. The Horticultural extension work in the districts of Almora, Naini Tal and Pithoragarh is also supervised directly from the headquarters through the Horticulture Officers of these districts; Superintendent, Government Gardens, Dunagiri (Almora), and other subordinate staff.

#### REGIONAL AND FIELD OFFICERS

8.3.28. *Deputy Director, Fruit Utilization, Pauri, District Garhwal.* He supervises the horticultural activities in the districts of Garhwal and Tehri-Garhwal and renders technical assistance to Horticulture Officers of Chamoli and Uttarkashi districts—other matters in these two districts being supervised directly from the headquarters.

8.3.29. *District Horticulture Officer, Almora, Naini Tal, Pauri (Garhwal), Tehri, Pithoragarh, Chamoli and Uttarkashi.* They supervise horticultural development work and nurseries and also control the extension work assigned to Horticulture Plant Protection Mobile Teams in their districts with the assistance of horticulture inspectors, farm superintendents and other plant protection staff.

8.3.30. *Govt. Gardens, Chaubatia (Almora), Dunagiri (Almora), and Bharsar (Pauri Garhwal).* These orchards have the choicest varieties of temperate fruit plants, and maintain nurseries for production of fruit plants and vegetable seeds for distribution to orchardists in hill areas.

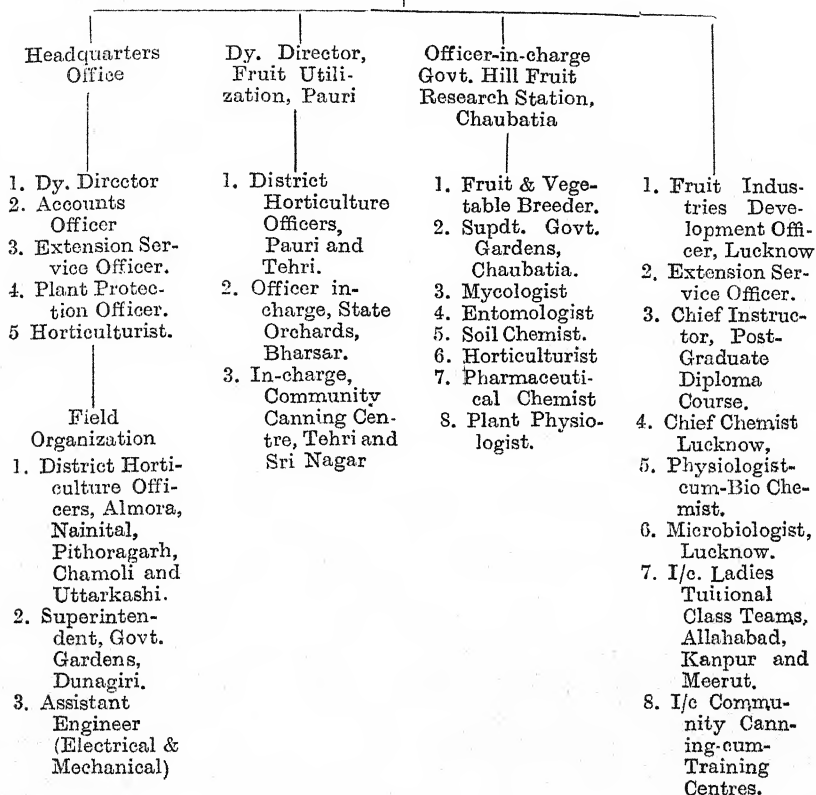
8.3.31. *Officer-in-charge, Govt. Hill-Fruit Research Station, Chaubatia, District Almora.* Along with the research work on problems of fruit production, he has overall charge of the horticultural activities of the Government Gardens, Chaubatia, in which the

Research Station is located. The Station has six basic sections, viz., (i) Horticulture Section, dealing with problems relating to culture of fruits, (ii) Mycology Section, dealing with fruit diseases, (iii) Entomology Section, dealing with insects pests of fruits, (iv) Soil Chemistry Section, dealing with studies on problems of soil in Kumaon, (v) Fruit and Vegetable Breeding Section and (vi) Physiology and Pharmaceutics Section. The Research Station also arranges for training of gardeners (malis) in hill districts.

8.3.32. The work of the Industrialization Section is carried out through Government Fruit Preservation and Canning Institute, Lucknow under a Fruit Industries Development Officer. The Institute has a Research Section with a Chief Chemist, a Physiologist-cum-Bio Chemist and a Microbiologist, and a Training Section under a Chief Instructor who arranges fifteen months' post-graduate diploma training course and other short courses. An Extension Service Officer (Industries) looks after the work relating to Community Canning-cum-Training Centres set up throughout the State, each under an Incharge, to provide facilities to the public for canning fruits and vegetables under technical guidance with the help of special equipment installed at the Centres. The staff attached to each Centre visits important places in its jurisdiction and imparts a twenty days short training course in techniques of fruit preservation and canning. Facilities for separate training classes for ladies exist at Lucknow, Kanpur and Allahabad. Government Community Canning-cum-Training Centres exist at Agra, Allahabad, Almora, Azamgarh, Bareilly, Basti, Chamoli, Dehra Dun, Deoria, Faizabad, Ghazipur, Gorakhpur, Jaunpur, Jhansi, Kanpur, Meerut, Moradabad, Naini Tal, Pauri (Garhwal) Ranikhet (Almora), Saharanpur, Tehri and Varanasi. Ladies Mobile Tuitional Classes Teams work at Allahabad, Kanpur and Meerut. There is a Fruit Preservation Factory, Ramgarh, District Naini Tal under a Chief Chemist. It has since been transferred on lease to the U.P. State Agro-Industrial Corporation. The Fruit Processing Factory, Phoolbagh, District Naini Tal under a Production-cum-Sales Manager, has since been transferred on lease to Agriculture University, Pantnagar. The Food Service Training Centre, known formerly as Food Polytechnic, Lucknow, has been transferred to an autonomous body known as Food Craft (Lucknow) Society, Lucknow and named as Food Craft Institute, Lucknow. This Institute imparts training in subsidiary food industry, such as fruit preservation, catering technology, etc.

**Organization Chart of the Directorate of Fruit Utilization,  
Uttar Pradesh**

**Director of Fruit Utilization**



**List of Acts, Rules, Regulations, Manuals, etc.  
relating to Agriculture Department**

<i>Sl. No.</i>	<i>Name of Act, Rules etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1.	Agricultural Produce (Grading and Marking) Act	1937	Govt. of India
2.	Cotton Pests Control Act	1936	State Govt.
3. (a)	U. P. Cotton Ginning and Pressing Factories Act	1949	"
(b)	U. P. Cotton Ginning and Pressing Factories Rules	1949	"
4. (i)	U. P. Locust Destruction Act	1951	"
(ii)	U. P. Agricultural Diseases and Pests Act	1954	"
5. (a)	U. P. Soil and Water Conservation Act	1963	"
(b)	Rules under Soil and Water Conservation Act.	1963	"
6. (a)	U. P. Agricultural University Act	1958	State Government
(b)	Statutes of the U. P. Agricultural University	1961	Section 29 (1) of the Act
7.	Jute Grading and Marking Rules	1960	Govt. of India, Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937.
8. (a)	U. P. Krishi Utpadan (Mandi) Adhiniyam [U. P. Agricultural Produce (Market) Act.]	1964	State Government
(b)	U. P. Krishi Utpadan (Mandi) Niymawali [U.P. Agricultural Produce (Market) Rules.]	1964	State Government

**Annual Administration Report**

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Administration Report of Agriculture Department	July-June	1877	Director of Agriculture

## 8.4. ANIMAL HUSBANDRY DEPARTMENT

8.4.1. In 1899 the Glanders and Farcy Act was passed by the Government of India which provided for compulsory segregation of horses suffering from certain equine diseases. But until 1892, there was no department in the State dealing with matters concerning cattle welfare. There was, however, the Imperial Horse Breeding Department run by the Inspector-General of Civil Veterinary Department, Government of India with headquarters at Simla, and for the army there was a department known as the Army Remount Department. The main concern of both these departments was to develop better breed of horses, mules and donkeys for military purposes.

8.4.2. In 1892, the Civil Veterinary Department was constituted in the State to supplement the operations of the Imperial Department and a Superintendent was appointed under the Director of Land Records and Agriculture with headquarters at Babugarh in District Meerut where a depot was also established. Horse shows and fairs for a demonstration in general management, and first-aid were held and prizes were also given at these fairs for the best specimens. A few touring veterinary assistants were appointed to give treatment to sick horses. In 1901, seven veterinary dispensaries, each with a Veterinary Assistant Surgeon were set up. Two Veterinary Inspectors were also appointed to inspect these dispensaries. The cost of these dispensaries was to be met by the District Boards.

8.4.3. In 1903, the depot at Babugarh was made over to the Army Remount Department on the recommendations of the Horse Breeding Commission. The headquarters of the Superintendent were now shifted to Lucknow. In 1906, a second Superintendent was appointed and a cattle farm was established in 1910 at Manjhra, in Lakhimpur Kheri to be followed in 1913 by another farm at Madhurikund in Mathura. Training of the few hands, that were needed, was arranged at the Punjab Veterinary College, Lahore.

8.4.4. In 1916, two more officers were appointed—the third Superintendent and a Deputy Superintendent, and the State was divided into three circles, the Deputy Superintendent being attached to one of the circles. In the same year the local staff was taken over from the district boards, but they were nevertheless required to pay a fixed contribution to the Government for the maintenance of veterinary services. The Boards continued, however, to have a voice in the postings, transfers, and punishment of staff in their own districts. In 1920, the department was taken away from the control of the Director of Land Records and Agriculture, and a Veterinary Adviser to Government was appointed to look after it. In 1929, his designation was changed to Director, Civil Veterinary Department and by this time he had two Superintendents and three Deputy Superintendents to assist him.

8.4.5. With the passing of the District Boards Act of 1922, the anomalies of the dual control on the staff in the field came to the



fore, since many district boards were not sympathetic and created difficulties in the efficient running of the dispensaries. As a result, the residual control which they exercised was also taken over by the Government gradually by 1944.

8.4.6. Owing to continuous preoccupation with cattle diseases and their prevention, the Department could devote only limited attention to cattle breeding; and as the Agriculture Department was equally interested in the cattle wealth, cattle breeding operations were transferred to them in August 1922, together with the two farms at Manjhra and Madhurikund. They subsequently established more such farms along with two quarantine stations at Bainipur in Agra, and Ata in Jalaun, where cattle purchased from outside the State were segregated before being distributed in the State.

8.4.7. In 1933, the sub-circles under the Deputy Superintendent were abolished, a Veterinary Investigation Officer was appointed in 1935, and the number of subordinate posts substantially increased with the transfer of certain functions to the Agriculture Department. The Civil Veterinary Department was concerned with providing veterinary aid at dispensaries and in livestock farms and with the breeding of horses, sheep, goat and poultry; the Agriculture Department attended to the entire cattle breeding policy. As this arrangement did not prove satisfactory, cattle breeding operations in the districts of Meerut, Muzaffarnagar, Aligarh and Pratapgarh (later exchanged with Saharanpur) were retransferred to the Civil Veterinary Department in 1939 for extensive cattle breeding operations, as it was found that the Agriculture Department had no clear cut policy in this respect for any part of the State and its attention was focussed mainly on the distribution of large number of bulls irrespective of any consideration of particular breed for a tract. More such transfers took place afterwards, when finally the Animal Husbandry Department with a Director, was created on April 1, 1944, which took over all the functions of the Civil Veterinary Department as also gradually by 1946, all the functions concerning activities relating to livestock, cattle breeding and marketing, from the Agriculture Department.

8.4.8. With the establishment of the Directorate of Animal Husbandry, a number of posts for the development of cattle, small animals, fisheries, poultry, dairies, goshalas, and for the prevention and control of diseases were created. A Biological Products Section was set up in 1945 at Lucknow for production of vaccines and sera, an Animal Geneticist was appointed to examine questions relating to artificial insemination and causes of infertility in animals. A Livestock Research Station was opened at Madhuri Kund in 1946.

8.4.9. Fisheries development and marketing scheme, which was organised initially by the Co-operative Department for the supply of fish to troops in the Second World War, was also taken up by the Animal Husbandry Department in 1944. Government later on decided to abandon State trading in fish, and with effect from January

1, 1947, a separate Department of Fisheries was created under the charge of a Fisheries Development Officer, who was declared a head of department, with three regional officers each at Allahabad, Lucknow and Bareilly, to which Agra and Gorakhpur were added subsequently. The Department was later placed from October 1, 1950 under the control of the Director of Animal Husbandry, and from April 1, 1953, the regional Fish Marketing Officers now designated as Assistant Directors, Fisheries, were placed under the supervision and control of the respective Deputy Directors of Animal Husbandry who got the fisheries programme executed in accordance with the directions given by the Director. The fisheries staff in the districts was also placed later on in 1963, under the charge of District Livestock Officers. The Fisheries programme, however, suffered with these changes and in order to give priority to and ensure a better co-ordination and more effective execution of fisheries development programme, a decision was taken in November, 1965 to revert more or less to the 1947 pattern and to separate the Fisheries Organization from the Directorate of Animal Husbandry. A separate Directorate of Fisheries was, thus, created in February, 1966 under an administrative Director, till a technically qualified person for manning the post was available.

8.4.10. Work relating to the grading and marketing of ghee was taken over by the Department from Agriculture Department in 1944, but it was transferred to the U.P. Co-operative Marketing Federation in 1948. This was followed by the establishment of the U.P. College of Veterinary Science and Animal Husbandry at Mathura in 1947. The same year, shortly after the achievement of independence, the Animal Husbandry Re-organization Committee was set up to examine the various development and marketing schemes of the department and to advise Government on the measures necessary to improve its working. As a result of the recommendations made by the Committee some significant changes and improvements were made. The number of animal husbandry circles was increased. Veterinary Inspectors were replaced by District Livestock Officers and to them were transferred some of the duties of Deputy Directors of Circles. A senior technical hand was appointed in the Secretariat to judge and advise on the importance and utility of technical schemes submitted to Government and he was designated as Animal Husbandry Commissioner-cum-Officer on Special Duty at the Headquarters of the Government. This post was, however, discontinued after 1961. In 1947, the U.P. Provincialization of Hospitals Act and U.P. Veterinary Council Act, 1947 were passed. The first Act provides for the control of veterinary hospitals and the second for the registration of veterinary practitioners.

8.4.11. Cow protection being one of the legitimate functions of the Government under the Constitution of India, resolutions were moved in the Legislature in 1952, for taking up this matter in right earnest, and in pursuance of the undertaking given by the Government, a Gosamvardhan Enquiry Committee was set up in 1953, and

as a result of the advice given by the Committee, the U.P. Prevention of Cow Slaughter Act, 1955, was enacted.

8.4.12. Article 48 of the Constitution of India under the Directive Principles of State Policy, provides as one of the functions of the Government to organize animal husbandry on modern and scientific lines and in particular, to take steps for preserving and improving livestock breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle. The Department has been working with the primary object of implementing these directives by assisting and guiding livestock owners in proper and expeditious development of their livestock and the various livestock industries, and in providing protection against the ravages of contagious diseases and pests through dissemination of scientific knowledge and mobilization of public co-operation. Facilities are given to producers to increase the out-put of animal produce and for accelerating the development of their cattle wealth. Under the Seventh Schedule to the Constitution, preservation, protection and improvement of stock and prevention of animal diseases, veterinary training and practice are subjects of State jurisdiction. The State Legislature has enacted its own laws on these subjects. The Government of India, however, collaborate actively in the fulfilment of the constitutional directives and they undertake, aid and promote the teaching and research in veterinary science and animal husbandry and subsidize directly or through the Indian Council of Agricultural Research the numerous field activities of the Department.

8.4.13. In the Secretariat, the work connected with veterinary matters was being done initially in the Revenue Department under the charge of Chief Secretary, but in 1908, it was transferred to the newly created Industries Department, to which were added the activities of the Directorate of Agriculture about the year 1921. In 1937, however, a separate Department of Agriculture was formed which controlled the activities of Civil Veterinary Department also. With the establishment of the Directorate of Animal Husbandry in 1944, a Department of Animal Husbandry was created in the same year under the charge of Secretary to Government in the Agriculture Department. A Fisheries Section was added to the Department in 1947. The Working Group on Inter-Departmental and Institutional Coordination for Agricultural Production, 1963, set up by the Government of India under the Chairmanship of Dr. Ram Subhag Singh, Union Minister for Agriculture recommended integrated approach towards agricultural production and unified administrative set up of all development departments at the district level. The State Government accepted the main recommendations and made certain changes in the administrative structure, and as already indicated in Chapter 8.2, the Commissioner and Secretary, Department of Agricultural Production and Rural Development was made incharge of Animal Husbandry and Fisheries Department also. He has also the field status to enable him to guide and supervise the work of the Directors of Animal Husbandry and Fisheries.

8.4.14. The officers at the Secretariat are:

Commissioner and Secretary, Agricultural Production and Rural Development	..	1
Special Secretary	..	1
Deputy Secretary	..	1
Under or Assistant Secretary	..	1
Superintendent	..	2

The Secretariat Department deals with the following matters:

#### *Animal Husbandry (A) Department*

Establishment under the Director, Animal Husbandry, Director of Fisheries and the Principal, Veterinary College, Poultry & Piggery Development, Central Dairy Farm, Aligarh; Plan Co-ordination, Research Schemes relating to Veterinary College and training programmes.

#### *Animal Husbandry (B) and Fisheries Department*

Development of cattle, horses, mules, goats and sheep, Livestock shows and statistics, marketing of livestock and its products, Gaushalas Development, Prevention of Cow Slaughter, Gosadans, Farms and Dairies, Veterinary aid, cattle diseases and pests, Veterinary hospitals and dispensaries, Veterinary Practitioners, Biological Products, Vaccines, Sera, etc., Development of Hides and Skins, Fisheries, State Livestock-cum-Agriculture Farms and prevention of cruelty to animals.

8.4.15. The Department deals with three subordinate Units, viz., College of Veterinary Science and Animal Husbandry, U.P. Mathura; Directorate of Animal Husbandry, U.P., Lucknow and Directorate of Fisheries, U.P., Lucknow.

### 1. U.P. COLLEGE OF VETERINARY SCIENCE & ANIMAL HUSBANDRY, MATHURA.

8.4.16. The College was established in July, 1947, with a view to meeting the demand for qualified veterinary and animal husbandry workers and for research. It is headed by a Principal, and is affiliated to the Agra University for the award of the degree of Bachelor of Veterinary Science and Animal Husbandry (B.V.Sc. & A.H.) and Master's degree in Veterinary Science (M.V.Sc.) or Animal Husbandry (M.A.H.). The duration of Bachelor's course is four years and that of the Master's course, two years. Students between the ages of 17 and 22 years who have passed the Intermediate or an equivalent examination with Biology or Agriculture, are admitted to the degree course on the basis of a competitive test. The College consists of the departments of Anatomy, Physiology, Hygiene and Animal Management, Parasitology, Materia Medica, Animal Nutrition and Milk

Hygiene, Animal Genetics and Breeding, Gynaecology and Reproduction, and Agricultural and Livestock Economics and Statistics.

8.4.17. A well-equipped Veterinary Hospital, known as the Kothari Pashu Chikitsalaya, with radiological and pathological laboratories is attached to the College. An extensive livestock farm with a modern dairy, sheep, goat and poultry breeding establishments also forms part of the institute, for providing practical training to students in animal management and animal husbandry practices which they carry out themselves during the course of training. The Principal of the College is also the Superintendent of the Livestock Research Station, Madhurikund, Mathura which consists of sections relating to Diseases and Pests, Animal Genetics and Breeding. He also looks after the Demonstration Farm at Mathura and Animal Nutrition Section at Bharari in Jhansi, for carrying out research work independently or in collaboration with the Indian Council of Agricultural Research.

## 2.—DIRECTORATE OF ANIMAL HUSBANDRY, U.P.

8.4.18. The Director, Animal Husbandry, U.P. has his headquarters at Lucknow. He is assisted by an Additional Director, a Deputy Director (Headquarters), a Deputy Director (Small Animals), a Deputy Director, incharge of Key-Village Scheme and Deputy Director (Rinderpest), along with a number of other officers at the headquarters and regional level. The office of the Director has the following sections:

### I—LIVESTOCK SECTION

This section, which is sub-divided into three sub-sections, deals generally with the development of cattle, horses, mules, goats, sheep, and wool and pigs; Gaushalas development, dairies and farms, cattle feeds and fodder development, key-village scheme and artificial insemination under the charge of Deputy Director (Key-Village Scheme), who is assisted by an Assistant Director (KVS) and a Fodder Development Officer. A short account about each of these activities is given below:—

#### (1) *Cattle Development*

This includes improvement of breeds by selective breeding, culling undesirable animals and upgrading indigenous cattle with improved bulls of well known and tried Indian breeds and distribution of seeds of improved varieties of feeds and fodder to cultivators at moderate price. Nucleus herds of breeding stock of each breed selected for upgrading work are maintained according to suitability to local conditions, at Cattle Breeding-cum-Dairy Farm, Kalsi, District Dehra Dun, and Livestock Farm, Chak Ganjaria, District Lucknow, each under a Farm Manager and at twelve Government Cattle Breeding Farms. There are also two Bull Rearing Farms, one at Mathura and the other at Ata (Jalaun) under the control of the Director. As in some other



States, provision for the licensing of bulls kept for breeding purposes as approved bulls or for the compulsory castration of bulls which are likely to beget inferior or defective progeny or which are permanently affected by infectious or contagious diseases, has been made by the enactment of the U.P. Livestock Improvement Act, 1964. Pure bred stock of calves and bulls is supplied to Goshalas and private breeders, gaon sabhas, etc., on taqavi loans, subsidy or on contribution for upgrading the indigenous stock.

The shortage of stud animals is made good by adopting the method of artificial insemination through numerous centres set up throughout the State, around which a group of villages within a radius of 5 miles having a total population of 5,000 adult cows and buffaloes form a Key Village Block. There are numerous Key Village Blocks and Artificial Insemination Centres functioning in the State (where pedigree bulls are maintained for collecting semen) with numerous such sub-centres in development blocks. Requirement of extra semen for these centres is met from the Semen Collecting Stations at Chak Ganjaria and Meerut. Cross-breeding operations with imported semen are also being carried out in Choharpur area of District Dehra Dun. In addition to these there are Cattle Breeding Extension Centres in remote areas, where artificial insemination facilities are not practicable or available. Concentration camps termed as 'Gosadans' have been established to take off the burden of useless and uneconomic animals from rural and urban areas. Wild and stray cattle caught under the provisions of the Cattle Trespass Act, 1871, as amended by the amending Act of 1921, and of the Cattle Trespass (U.P. Amendment) Act, 1954 are also sent to these Gosadans. Five State, five private and seventeen District Gosadans are functioning at present at various places.

## (2) *Goshala Development*

Goshalas are subsidized by way of giving pure bred cows, grants-in-aid and free veterinary aid on recommendations of the State Federation of Gaushalas, which is a statutory body with its office at Lucknow. In order to achieve rapid development of Gaushalas the U.P. Gaushala Act, 1964 has been enacted which aims at providing better administrative and financial control in the working of Gaushalas. The Section co-ordinates cattle development work with the Government of India, Ministry of Agriculture & Food through the Central Gosamvardhan Council.

## (3) *Dairy Development*

This includes the establishment of Government dairy farms at various places besides those which exist already at the State Live-stock-cum-Agricultural Farms. Private dairy enterprises and goshalas are also subsidized and taqavi loans are granted for the purchase of milch-cattle in milk zones and development blocks.



(4) *Horse and Donkey Breeding*

Horse and donkey stallions of improved breed are provided to the public for breeding purposes at centres located throughout the State, the important and the oldest amongst them being the Stallion Depot, Moradabad. There are two horse breeding units, one at the Moradabad Depot, and the other at Chak-Ganjaria, Lucknow. Arrangements for Horse Shows at Stallion Stands are also made. There is a Donkey and Mule Breeding Unit at Pashulok (Rishikesh) for producing good sized donkeys and mules for upgrading the indigenous stock in large numbers to meet the demands of Jaunsar Bawar and other hill areas. There are two famous breeds of goats in the State, viz., Jamnapari and Barbari. Goat rearers of the Chakranagar area of Etawah district are subsidized in order to maintain Jamnapari breed and avoid its depletion which was taking place because of the heavy demand for this breed from all parts of India and abroad. Similar efforts are made for Barbari breed in Etah district where it is numerous. Development of the Mohair industry in U.P. hills by crossing the long haired hill goats with Angora bucks is also being carried on in collaboration with the Indian Council of Agricultural Research. Pedigree bucks for upgrading the ordinary village goats are distributed on a nominal contribution. Goat breeding units are also functioning at some of the State Livestock-cum-Agricultural Farms. The sheep rearing industry has gained momentum in U.P. because of the restriction on import of wool from Tibet. In the hills improvement in indigenous sheep population is brought about by crossing them with rams of imported long hair breed, and in the plains with Bikaner rams. A Sheep Breeding & Wool Research Station has been established at Pashulok, Rishikesh, District Dehra Dun, with Sheep Breeding and Rearing Farms at numerous places besides Stud Ram Centres and Sheep & Wool Extension Centres where about 50 rams are located at each centre for rendering service to the ewes of sheep breeders during tupping season. Rams are also given to private breeders on nominal contribution basis. Research on the various sheep and goat diseases and on their proper control is conducted by an Assistant Disease Investigation Officer (Sheep & Goats) posted at Pashulok (Rishikesh).

(5) *Improvement of Pigs*

Upgrading of the local indigenous pigs is done with pedigree boars, which are distributed by the Central Dairy Farm, Aligarh to the breeders at a nominal contribution. The graded stock is purchased by the Farm at a fairly remunerative price for feeding their bacon factory.

## II—GENERAL SECTION

This section, which is sub-divided into two sub-sections deals generally with veterinary aid, control of diseases and pests, hospitals and dispensaries, biological products, veterinary research, poultry development, training of personnel, development of hides and skins undertaken under various schemes of the Indian Council for Agricul-

tural Research, and marketing of livestock produce, cattle shows and publicity.

- (1) *Provision of veterinary aid, control of diseases and pests, hospitals and dispensaries, biological products and veterinary practitioners.*

The section looks after the arrangements for checking the incidence of animal diseases and mortality through mass immunization by inoculations, field disinfection and treatment, and the preparation of vaccines, sera, etc., at the Biological Products Section, Lucknow. A net work of veterinary hospitals under the charge of veterinary assistant surgeons and first aid centres under the charge of stockmen, exists. It is planned to have a hospital in each Development Block with as many Stockmen Centres around it, as necessary. The Central Laboratory at the headquarters provides for proper diagnosis and control of diseases of uncommon occurrence or of obscure nature and for other routine tests. Rinderpest is the most devastating contagious disease which takes a heavy toll each year. A whole-time Deputy Director (Rinderpest) at the headquarters looks after the prevention of this disease and controls the State-wide campaign against it through Assistant Rinderpest Officers posted in the field. Mastitis is another disease which causes huge losses due to lower milk yield in animals. A Research Officer (Mastitis) at the headquarters, looks after the investigations into the causes that lead to this disease and devises steps for its control.

Veterinary hospitals and dispensaries were mostly set up in the past by local boards. The insufficient care paid by them towards their maintenance created a general awareness and demand for better management. The U.P. Provincialization of Hospitals Act, 1947, which also covers veterinary hospitals, provides for the transfer of their ownership, administrative control, maintenance and management to the State Government. Most of the hospitals at district headquarters have been brought into State management and the rest are being taken up gradually.

While the Glanders and Farcy Act, 1899, and the Dourine Act, 1910 provide for the measures for checking the spreading of the diseases of glanders, farcy, dourine and African horse-sickness amongst horses, no similar statutory measure exists at present for other livestock so that the owner of an infected animal could be compelled to segregate it and to take other suitable steps for checking the spreading of such diseases through compulsory inoculation, reporting of out-breaks of diseases, disinfection of infected premises and disposal of carcass and other infected material suitably. Whatever has been achieved so far, has been by persuasion. The animals coming from outside are segregated for some time at the Quarantine Stations set up at the principal cattle routes at the borders of the State, viz., Madho Tanda (Pilibhit), Sonauli (Gorakhpur), Rupadiha (Bahraich), Kaurialaghat (Kheri), Banbasa (Naini Tal) and Barhni (Basti) with a view to checking the ingress of any contagious disease which they may be carrying with them.

The absence of a veterinary college in the State for long resulted in a general dearth of persons qualified in the art of veterinary practice, and the majority of the private practitioners has therefore been unqualified. The situation has never been free from risk, but Government too could not help it either. A provision for government check was made through the enactment of the U.P. Veterinary Council Act, 1947, which provides for (1) the establishment of a Veterinary Council, (2) maintenance of a Register of Veterinary Practitioners, their registration and publication of an Annual Veterinary List and (3) the qualifications of persons to be registered as Registered Veterinary Practitioners. The provisions of the Act have not been enforced as yet because of the non-availability of qualified persons in suitable number. Rules for proper implementation of the Act are still to be framed.

(2) *Poultry Development.* It is looked after by a Deputy Director (Poultry) at the headquarters assisted by a Poultry Development Officer and an Assistant Poultry Development Officer who render technical advice and assistance to field officers and private poultry breeders and also arrange for training facilities to the interested public in poultry development. The main aim is to give incentive to people to take up poultry breeding. They are subsidized by the supply of chicks of bred stock at concessional rates and balanced food for birds at no-profit-no-loss basis and in improving the housing conditions of birds. A Disease Control Officer (Poultry) at the headquarters looks after disease investigation, control and mass prophylactic immunization of birds against poultry contagious diseases and pests through trained field staff. Schemes for increased poultry and egg production with the participation of people are in hand with the assistance of the UNICEF at Basti and Gorakhpur.

(3) *Training.* Training to private pig breeders in Swine Husbandry is organized at the Central Dairy Farm, Aligarh. Persons undergoing these training courses are given suitable stipends.

(4) *Development of Hides and Skins.* A Hide Development Officer looks after this work. In order to check the loss which may accrue due to faulty handling of hides and skins, the Government initiated in 1948, a scheme for improvement in flaying and curing of hides which provides for training to urban and rural artisans in improved methods of flaying through mobile parties and training centres and at the 'charmalayas' attached to 'Gosadans'. Co-operative Societies of flayers are also organized to carry out the work on systematic lines with Government aid. The Model Hide Flaying, Curing and Carcass Utilization Centre, Bakshi-ka-Talab, Lucknow provides for advanced training in these methods.

(5) *Marketing.* The Livestock Marketing Officer looks after the marketing of livestock and livestock products which work includes marketing surveys on the utilization of various animal products, establishment of co-operative marketing societies for cattle and other livestock products.

(6) *Livestock Shows and Publicity.* In order to canalize the

religious sentiments, which people carry in respect of the cow, into more fruitful and productive channels, Gopashtami Week Celebrations were started in 1953, in which apart from State, Regional, District and other one day livestock shows held throughout the States, such shows are also organized during the Gopashtami Week in collaboration with the Panchayati Raj and other development departments. Handsome prizes are awarded to the owners of prize winning animals and birds. A monthly news bulletin is published for guidance of field staff. Since the success of development work and the proper utilization of researches and improved animal husbandry practices depends upon their being adopted by the village folk, it is kept in mind that the medium of propaganda should be simple.

The Section is also concerned with the formation and the working of Societies for Prevention of Cruelty to Animals under the Prevention of Cruelty to Animals Act, 1890,<sup>9</sup> which exist in various districts. Suitable grants-in-aid are given to such societies, whose financial condition is not sound. While the slaughter of cattle is controlled by the restrictions imposed by local boards within their limits, the Section attends to the appointment of Veterinary Assistant Surgeons to carry out inspection of animals and their meat at slaughter houses.

### III—AUDIT AND ACCOUNTS SECTION

This Section consists of three sub-sections and is under the charge of an Accounts Officer, who looks after the work connected with the budgeting and auditing of departmental accounts. The P.A. to the Director is the drawing and disbursing officer at the headquarters.

### IV—ESTABLISHMENT SECTION

This Section, which consists of two sub-sections, is under the general charge of Deputy Director, Headquarters, who is assisted by P.A. to the Director in looking after (1) of establishment matters of the officers and staff at the headquarters and in the field, and (2) higher education and advanced training of technical personnel.

### V—PLANNING SECTION

This Section takes up the preparation of development plans, co-ordinates the various schemes of the different sections of the Directorate and liaises with other development departments. It is under the general control of the Additional Director of Animal Husbandry, who is assisted by an Assistant Director (Planning).

### VI—STATISTICS SECTION

This Section which was created in 1956 is under the charge of a Statistician. Its functions are systematic collection, compilation and analysis of data about the departmental development schemes, design-

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9. The Act is administered at the Secretariat level by Home (General) Department.

ing sample surveys of various activities and evaluation of their results in terms of livestock products, preparation of monthly resume of departmental activities, statements of incidence of cattle diseases and results of preventive inoculations, livestock, etc.

## VII—STATE LIVESTOCK-CUM-AGRICULTURAL FARMS

The Deputy Director, State Livestock-cum-Agricultural Farms at Lucknow is incharge of farms at Babugarh (Meerut), Madhurikund (Mathura), Bharari (Jhansi), Saidpur (Jhansi), Ata (Jalaun), Hastinapur (Meerut), Manjhera (Kheri), Andeshnagar (Kheri), Arazilines (Varanasi), Nilgaon (Sitapur), Niblet, Jahangirabad (Barabanki), Chak Ganjaria (Lucknow), Kalsi (Dehra Dun), Pashulok (Rishikesh) and other smaller farms at a few other places. These farms have been established mainly with a view to—

- (a) exploring the possibility of more economical maintenance of livestock at the State Farms, production of pure-bred sires of various species of livestock for upgrading the indigenous stock and multiplication of the selected breeds according to suitability of local conditions,
- (b) developing the culturable waste lands in order to help grow-more-food campaign and fodder resources,
- (c) producing improved seed for supply to the cultivators through the Agriculture Department, and
- (d) demonstrating to the public the advantages of 'Mixed Farming' with mechanized cultivation of large tracts of land with different development assignments.

These farms thus operate as multi-purpose research-cum-development institutions both in the field of agriculture as well as animal husbandry. The Deputy Director is assisted at the headquarters by an Assistant Director and an Accounts Officer along with other subordinate staff. The farms are managed by Farm Managers of State Service except for smaller farms which are under the charge of gazetted Farm Superintendents. There is a Tractor Workshop attached to the office of the Deputy Director under the charge of an Assistant Agricultural Engineer. An organized effort on these farms with the objects stated above, was started in 1947-48 under the scheme of Mechanized State Farms Organization under charge of a Deputy Director. The Farms were subsequently named as Livestock-cum-Agriculture Farms in 1960.

## REGIONAL AND FIELD ORGANIZATION

### *Regional Offices*

8.4.19. The State is divided for proper administration and supervision of animal husbandry work into nine circles with headquarters at Agra, Allahabad, Bareilly, Faizabad, Gorakhpur, Jhansi, Lucknow, Meerut and Varanasi each under the charge of a Deputy Director.



The districts falling within the jurisdiction of each circle, are as below:

<i>Circle</i>	<i>Jurisdiction</i>
1. Agra	Agra, Aligarh, Etah, Mainpuri and Mathura.
2. Allahabad	Allahabad, Etawah, Farrukhabad, Fatehpur and Kanpur.
3. Bareilly	Almora, Bareilly, Bijnor, Budaun, Chamoli, Garhwal, Moradabad, Naini Tal, Pilibhit, Pithoragarh, Rampur and Shahjahanpur.
4. Faizabad	Bahraich, Bara Banki, Faizabad, Gonda, Pratapgarh and Sultanpur.
5. Gorakhpur	Azamgarh, Basti, Deoria and Gorakhpur.
6. Jhansi	Banda, Hamirpur, Jalaun and Jhansi.
7. Lucknow	Hardoi, Lakhimpur-Kheri, Lucknow, Rae Bareli, Sitapur and Unnao.
8. Meerut	Bulandshahr, Dehra Dun, Meerut, Muzaffarnagar, Saharanpur, Tehri Garhwal and Uttarkashi.
9. Varanasi	Varanasi, Mirzapur, Jaunpur, Ghazipur and Ballia.

The functions of Deputy Director are the administration of and co-ordination on the various animal husbandry and poultry activities in the districts within his jurisdiction, the initiation of schemes for the development of these activities, providing of technical guidance to the subordinate staff, maintaining liaison with the Commissioners, District Officers, officers of development departments and other important non-official agencies, and maintaining co-ordination with the zonal heads of development departments, viz., Agriculture, Co-operative, Forest, Irrigation, Panchayati Raj, etc. He also controls the departmental farms located within his circle. There is a small laboratory attached to his headquarters office, under the charge of a Veterinary Assistant Surgeon, to conduct minor microscopical examinations for correct diagnosis of animal diseases, except for Lucknow where these examinations are conducted in the Central Laboratory at the headquarters of the Directorate. The Deputy Director carries out the various departmental activities in the districts through District Livestock Officers. He is, however, assisted at the headquarters by a Senior Poultry Inspector, who co-ordinates poultry development work within the Circle on behalf of the Deputy Director and gives technical advice to private breeders as well for establishing and running poultry farms economically. Livestock and poultry shows are organized by the field staff under the guidance of the Circle Officers. Publicity of departmental activities is arranged under the care of Deputy Directors.

8.4.20. There are Project Officers, Intensive Cattle Development, at Lucknow, Kanpur, Meerut and Moradabad who are responsible



for the execution of the programme for increasing milk yield in the milk shed areas around their headquarters through proper breeding facilities, adequate disease control measures and by giving incentives for production of fodder.

*Deputy Director, Incharge, Biological Products, Lucknow*

8.4.21. The Biological Products Section was established in 1945 adjacent to the headquarters office of the Directorate for producing vaccines, sera, etc., required for mass immunization of animals and poultry against diseases and for treatment, and for conducting research on the prevention and cure of animal diseases and preparation of improved vaccines, sera, etc. The Deputy Director is assisted by a Bacteriologist, a Serologist, an Assistant Research Officer (Vaccine) and an Assistant Research Officer (Standardization).

*Principal, Model Hide Flaying, Curing and Carcass Utilization Centre, Bakshi-ka-Talab, Lucknow*

8.4.22. The Centre was established by the Government in 1952. Sections of Training, Footwear and Leather Utilization were added to it afterwards. Both the Netherlands Government and the Government of India have jointly provided technical and financial assistance to the tune of Rs. 20.50 lakhs for its improvement and expansion. The Principal is assisted by a Carcass Utilization Officer, an Officer-in-charge, Training and a Footwear & Leather Utilization Officer. There are numerous Hide Flaying Co-operative Societies. Government have also established Urban Hide Flaying Centres at Dehradun, Jhansi, and Mathura.

*General Manager, Central Dairy Farm, Aligarh*

8.4.23. The Farm was purchased by the Government in 1948. It was originally established in 1921 and was quite well known as Keventer's Farm. It had and continues to have its own shops or agencies in New Delhi, Lucknow, Allahabad, Naini Tal, Kanpur, Ranchi and other cities in India and abroad for sale of its products. It consists of (i) Dairy Section for the manufacture of butter, ghee, cheese, etc., (ii) Agricultural Section, (iii) Dairy Appliances Section for the manufacture and repair of dairy appliances and (iv) Piggery Section with a Bacon Factory. The General Manager is assisted by an Officer-in-charge, Pig Breeding Scheme, an Officer-in-charge, Swine Husbandry Training, and an Accounts Officer along with other subordinate staff. Pure bred Middle White Yorkshire boars are supplied for stud purposes in different districts of the State and graded stock is purchased by the Farm at a fairly remunerative price for feeding the Bacon Factory. A Regional Pig Breeding Station-cum-Bacon Factory is being established with the assistance of the Government of India. The Creamery at the Farm has been producing butter and ghee. Supplies of cream are obtained from separating stations in the adjoining districts. Since it has a great potentiality for further development, a Rural Creamery is in the process

of being established at the Farm at an estimated cost of about Rs. 10 lakhs for developing milk production in rural areas and manufacture and marketing of butter and ghee in distant consuming centres.

### *Field Offices*

8.4.24. The various departmental activities relating to animal husbandry and poultry are carried out in a district under the overall charge of the District Livestock Officer, who is assisted by Veterinary Officers, Veterinary Assistant Surgeons, Poultry Inspectors (in districts having poultry farms) and Supervisors, Livestock Supervisors, Assistant Development Officer (Animal Husbandry), Stockmen, and other subordinate field staff. His work mainly consists of giving veterinary aid through hospitals and dispensaries, control of livestock diseases and pests, cattle breeding, running of Artificial Insemination Centres under the Key-Village Scheme, sheep, goat, piggery and poultry development, animal nutrition, feeds and fodders, maintenance of gosadans and charmalayas, registration of village cattle in breeding tracts and formation of Cattle Co-operative Societies, establishment of Gosamvardhan Units through Panchayats and encouraging them to make arrangements for proper maintenance of stud bulls, castration of scrub and old bulls to avoid promiscuous breeding, marketing in animal produce, and also livestock and poultry shows. Being actively concerned with development projects of the department, he has to maintain close liaison with the officers of other development departments.

8.4.25. A Veterinary Assistant Surgeon is usually incharge of a veterinary hospital or dispensary and apart from hospital duties, looks after the measures for prevention of cattle diseases, castration, other cattle development work with the help of stockmen and stallion stands wherever located within his jurisdiction. A Veterinary Officer, on the other hand, is incharge of Artificial Insemination Centres and is assisted in his work by Livestock Supervisors and stockmen. They are also required to grant certificates in respect of the slaughter of cow and its progeny to the extent it is admissible under the U.P. Prevention of Cow Slaughter Act, 1955 and the Rules made thereunder. Livestock Supervisors who are persons trained in animal husbandry and possess qualifications of diploma standard, were employed initially to make up the deficiency of trained veterinary assistant surgeons for manning the numerous posts created in connection with the departmental development projects and of the Community Development Department such as Assistant Development Officers (Animal Husbandry), Manager of Gosadans, Milk Recorders, Poultry Supervisors, etc. They perform the general duties of a Veterinary Assistant Surgeon, when posted in a Development Block. Stockmen, who are persons trained departmentally in basic animal husbandry and veterinary science, are the main field workers at the lower level. They hold charge of first-aid veterinary dispensaries in cattle welfare units and perform the multifarious general duties of animal husbandry development such as distribution of stud animals, poultry develop-

ment, prophylactic inoculation, artificial insemination, pregnancy and progeny checking.

8.4.26. Stud ram centres are located at various places for sheep breeding and wool development, each under the charge of a Stockman. A group of eight such centres in one or more districts form a supervisory unit under the charge of a Sheep Supervisor, who works under the supervision of Deputy Director(s) and co-ordinates sheep breeding and wool development work with the District Livestock Officers.

8.4.27. State Poultry Farms exist at Chak Ganjaria (Lucknow), Azamgarh, Gonda, Bharari (Jhansi), Babugarh (Meerut), Mathura, Nagla (Naini Tal), Kalsi (Dehra Dun), Moradabad, Faizabad and Manjhra (Lakhimpur-Kheri) with a number of Poultry Demonstration Units and Extension Centres scattered throughout the State. A continuous expansion in this field is taking place in the N.E.S. and Intensive Development Blocks through the joint effort of the Animal Husbandry and the Community Development Departments. Facilities for artificial incubation and rearing are provided to private breeders at nominal cost to step up the production of birds and eggs. Farms with 500 laying birds are looked after by Farm Superintendents or Managers (Poultry) and those with 250 laying birds are under the charge of Poultry Inspectors, who are assisted by Poultry Supervisors. Poultry Extension Centres in the Development Blocks are looked after by Poultry Supervisors. They are trained in disease investigation and control and in poultry breeding, hatching and defertilization of eggs; and carry out prophylactic immunization and treatment of poultry contagious diseases and pests, impart training to village poultry breeders and look after the marketing in birds and eggs.

#### STOCKMAN TRAINING SCHOOLS

Chak Ganjaria, District Lucknow and Pashu Lok, District Dehra Dun.

8.4.28. Each of these schools is under the charge of a Principal. The training imparted is of a basic nature for a period of one and a half year in veterinary science, agriculture, public health, poultry farming, dairy farming and animal nutrition.

#### COMPOUNDER TRAINING CENTRES

8.4.29. Training of new-entrants is arranged at Allahabad under the care of the Deputy Director, Allahabad Circle, and of untrained departmental compounders at the Sadar Veterinary Hospital, Bareilly and the Veterinary Hospital, Badshahbagh, Lucknow.

#### ASSISTANT RINDERPEST OFFICERS

8.4.30. These officers work under the direct supervision of the Deputy Director (Rinderpest) at the headquarters of the Directorate

and change their headquarters from district to district in accordance with the targets of the scheme and field programme and carry out mass immunization of cattle by inoculations against rinderpest.

## BOARDS, COMMITTEES AND CONFERENCES

### *State Board of Animal Husbandry and Fisheries*

8.4.31. As a result of recommendations of the U.P. Animal Husbandry Reorganization Committee, the Government constituted a Board of Animal Husbandry and Fisheries in 1949 under the chairmanship of the Minister for Agriculture with Government experts and experienced private livestock breeders as its members and the Director of Animal Husbandry as Secretary, for jointly framing the livestock and fisheries development policies and research programme to suit the requirements of the public and in conformity with the latest scientific knowledge available on these subjects.

The Board is purely an advisory body and performs the following functions:—

(1) Examination and formulation of plans of Animal Husbandry and Fisheries research, training and publicity in the State and approval of technical programmes including those sponsored by the Indian Council of Agricultural Research, and the Government of India, and evaluation of the progress of development.

(2) Maintenance of contacts with and inviting of suggestions from livestock breeders regarding special problems confronting them in various parts of the State.

(3) Devising ways and means for improving the fodder and grazing position in the State in general and eastern districts in particular.

(4) Arranging the co-ordination of activities of the various animal husbandry institutions in the State including State Farms, Livestock Research Stations, etc.

(5) Serving as a link between the State Government and the Indian Council of Agricultural Research, Central Council of Gosamvardhana, All-India Cattle Show Committee and other allied bodies.

(6) Advising Government on such other matters as may be referred to it from time to time.

### *Standing Committee of Legislature on Agriculture and Animal Husbandry*

8.4.32. This Committee under the chairmanship of the Minister for Agriculture, Animal Husbandry and Fisheries holds its meetings from time to time to advise Government in deciding various problems relating to Agriculture and Animal Husbandry in the State.

### *State Fodder and Grazing Committee*

8.4.33. This Committee with Secretary to Government as Chair-

man, and Fodder Development Officer as Secretary, and representatives from Agriculture, Forests, Panchayat Raj and other development departments and two progressive farmers as members has been set up with a view to ensuring efficient utilization of available food and fodder resources and obtaining increased production through better varieties of crops.

#### *District Gosadan Committee*

8.4.34. These Committees have been formed in Aligarh, Allahabad, Badaun, Barabanki, Etah, Faizabad, Farrukhabad, Gonda, Gorakhpur, Hamirpur, Hardoi, Meerut, Muzaffarnagar, Rae Bareilly, Saharanpur, Sultanpur and Unnao districts under the chairmanship of District Magistrate, Additional District Magistrate or District Planning Officer, with a few official and non-official members for setting up and running district gosadans.

#### *District Societies for the Prevention of Cruelty to Animals*

8.4.35. These societies are formed with the object of preventing cruelty to animals and for taking steps conducive to their welfare.

### 3—FISHERIES DIRECTORATE

8.4.36. The overall charge of activities relating to fisheries, as already indicated earlier in paragraph 8.4.9, is that of the Director of Fisheries, U.P., Lucknow. The Directorate has two-fold activities, viz., (1) Development and Marketing and (2) Research. Development and Marketing in fisheries is taken care of by a Deputy Director (Extension) who is assisted at the headquarters by an Assistant Director of Fisheries (Planning) and an Assistant Director of Fisheries (Development). The Directorate administers the U.P. Fisheries Act, 1948 providing for matters relating to fisheries in private waters and looks after the programmes of survey of waters, stocking, establishment of farms and nurseries, angling for sport and marketing. The U.P. Fisheries (Development and Control) Rules, 1954, framed under Section 3(1) of the Act, provide for (i) prohibition of the destruction of fish by an explosive substance or by poisoning or pollution of waters by trade effluents, (ii) prohibition of catching, destroying or selling (a) fry and fingerlings from July to September, (b) breeding fish in June and July in the prohibited areas and fishing in the districts notified under the Rules, except under a licence issued by the Director, and (iii) seizure, removal and forfeiture of apparatus erected or used for fishing and of any consignment of fish held or transported in contravention of the Rules. Research in fisheries is mainly the concern of the Central Fisheries Research Laboratory at the headquarters of the Directorate by the Deputy Director (Research), who is assisted by three Research Officers who are specialists in Biology, Chemistry and Induced Breeding. The work includes the study of physical, chemical and biological factors influencing fish life. In addition to the Central Laboratory a number of fisheries research Farms are being estab-



lished. Besides these, the Director is assisted by a Personal Assistant and an Accounts Officer.

8.4.37. The fisheries programme is grouped in twenty Circles, each under the charge of an Assistant Director of Fisheries at Agra, Allahabad, Bareilly, Gorakhpur, Lucknow, Unnao, Azamgarh, Charkhari, Sultanpur, Bahraich, Gonda, Faizabad, Jhansi, Meerut, Mirzapur, Sharda Sagar, Rihand, Varanasi, Haldwani and Jaunpur. The programme is executed in the various districts by Senior Fisheries Inspectors, Fisheries Inspectors and Fisheries Wardens under the immediate supervision of the District Planning Officers. Nursery Fish Farms exist in most of the Blocks. For effective planning, development and control, there is a proposal to have five zonal Deputy Directors of Fisheries, one each for two revenue divisions. The supervision exercised over the work of field staff and the guidance extended to them by the Assistant Directors is remote and insufficient. It is, therefore, intended to provide an Assistant Director in each important districts.

#### *U.P. Fisheries Corporation Ltd.*

8.4.38. Uttar Pradesh has extensive potential and resources of 29 lakh acres of water area for fishery development. The bulk of these waters are vested in the various Government departments and Gram Samajas, who on account of lack of technical 'know how' are unable to develop and manage these resources on scientific lines for ensuring increased food production as well as State revenues. The practice of auctioning of these waters had resulted in indiscriminate exploitation of these resources by a handful of middlemen. The State Government had, therefore, decided to set up a Fisheries Corporation to ensure proper and effective exploitation of the fisheries resources in a systematic manner and to help in organizing, developing and expanding the fisheries industry in the State so as to enable the distribution of lucrative profit among the producers and to arrange the availability of fish to consumers at reasonable price. The authorised capital of the Corporation was to be Rs. 50 lakhs. The Corporation was also to erect factories for processing of dry fish, frozen fish, fish meal, canning and for production of other fisheries bye-products. The Director of Fisheries will act as the Managing Director of the Corporation, when it is established.

#### **Acts, Rules, Regulations and Manuals pertaining to the Animal Husbandry & Fisheries Department.**

<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1	2	3
<b>A—Animal Husbandry</b>		
<b>ACTS</b>		
1. Prevention of Cruelty to Animals Act	1890	Central Government



1	2	3
2. Glanders & Farcy Act	1899	Central Government
3. Dourine Act	1910	"
4. U. P. Provincialization of Hospitals Act	1947	State Govt.
5. U. P. Veterinary Council Act	1947	"
6. U. P. Prevention of Cow Slaughter Act	1955	"
7. The U. P. Livestock Improvement Act	1964	"
8. The U. P. Gaushala Act	1964	"
<b>Rules and Manuals</b>		
9. The U. P. Prevention of Cow Slaughter Rules	1964	"
10. Civil Veterinary Department Manual (under revision)	1913-14	"
11. Rules for the supply of stud animals		"
<b>B—Fisheries</b>		
1. The U. P. Fisheries Act	1948	"
2. The U. P. Fisheries (Development & Control) Rules	1954	Section 3 (i) of the Act

#### Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Administration Report of Animal Husbandry and Fisheries Department and Mechanized State Farms (Originally called Report on Veterinary Department).	July-June	1892	Director of Animal Husbandry

## 8.5—PANCHAYATI RAJ DEPARTMENT

8.5.1. Matters relating to the three tier Panchayati Raj institutions at the District, Block and Gaon Sabha levels are dealt with in Panchayati Raj Department. The development of local institutions in the rural areas of this State has been a slow process. Between 1870 and 1872 levy of a rate of land was made to finance nominated local committees, but the work remained mostly in the hands of district officers, as the nominated committees did not assume the responsibility. These committees were later replaced by rural boards in the eighties of the last century with greater non-official majority, elective system and enlarged resources and responsibilities, but even then most of the functions were performed by official members and district officers continued to be chairmen. Not much progress in the field of local self-government in rural as well as in urban areas<sup>10</sup> was, however, made until the enactment of the Government of India Act, 1919, when 'Local Self-Government' became a 'transferred' subject. Soon afterwards, the U.P. District Boards Act, 1922, was enacted for setting up District Boards for rural areas of districts as counterpart of municipal board for a town. These Boards had no official element and had elected non-official Chairmen, but they did not get the same measure of financial independence as the municipal boards enjoyed. The list of obligatory and discretionary duties of these Boards prescribed by the Act (some of them have been mentioned in para 10 of this Section) was large and covered the greater part of the local administration in rural areas but no Board could find it feasible to undertake all of them. Venacular education, cattle pounds, roads, medical and veterinary relief, vaccination, ferries, and a little arboriculture almost monopolised their entire attention and the expenditure on the encouragement of agriculture and industries was pushed in the background.

8.5.2. It was largely due to efforts of Sir C. Y. Chintamani, Member of the Legislative Council, that the U.P. Village Panchayat Act, 1920 was passed. The Panchayats envisaged under the Act consisted of five to seven Panches and a Panchayat circle consisted of a village or a group of villages. These Panches were appointed by the Collector after ascertaining the wishes of the inhabitants of the circle. The judicial authority of Panchayat was limited to civil claims of a simple nature not exceeding Rs. 25 and criminal cases of simple hurt, assault, petty theft, mischief, insult and ordinary cases under section 24 of the Cattle Trespass Act, 1871 and U.P. Village Sanitation Act, 1892. Panchayats with enhanced powers could decide civil suits valued up to Rs. 50. In no case, however, a Panchayat could pass a sentence of imprisonment. Hardly four per cent of the villages were, however, covered by these Panchayats and most of them were not able to arouse any enthusiasm amongst the rural inhabitants. They were not elected bodies. They had no power of taxation and always

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10. For details, see Chapter 10.5.

suffered from paucity of funds. Some efforts were made to make them elected bodies in 1929, but nothing could be done in the matter until 1934 when the Act was amended, even though in a half hearted manner. Government also appointed in 1938 a committee under the Presidentship of Sri A. G. Kher, then Minister for Local Self Govt., to examine the structure and work of the existing law and machinery relating to local self Govt. in the State. The committee submitted a comprehensive report in 1939 but before it could be considered, the then Congress Ministry resigned. The matter was taken up again when the U.P. Panchayat Raj Act, 1947 was passed, providing for the establishment of Gaon Sabhas and their Panchayats throughout the State in every village or a group of villages. Initially, they were established in villages or their groups with a population of more than one thousand inhabitants. Elections to Gaon Panchayats on the basis of adult franchise took place for the first time in 1949.

8.5.3. Article 40 of the Constitution of India, under the Directive Principles of State Policy, empowers the State to take steps to organize Village Panchayats and to endow them with such powers and authority as may be necessary to enable them to function as units of self-government in villages. All laws and rules in the matter of village administration have to be framed by the State Government. As a result of this constitutional provision, the U.P. Panchayat Raj Act was amended comprehensively in 1955 and in 1961. A Gaon Sabha was subsequently established in almost every revenue village with a population of 250 inhabitants. The minimum age of Pradhan was fixed at 30 years. It was also provided that arrears of Panchayat taxes could be recovered as arrears of land revenue on a resolution passed by the Gaon Panchayat concerned.

8.5.4. The desirability of public participation in planning and development activities, necessitated changes in the set up of the District Boards, which were replaced in May, 1958 by Antarim Zila Parishads. They were autonomous bodies exercising jurisdiction in the entire rural area in the districts and were responsible for the administration of affairs relating to Local Self Government and to the Government for functions relating to planning and development in their districts in terms of the U.P. Antarim Zila Parishad Ordinance, 1958 which was promulgated prior to the enactment of the U.P. Antarim Zila Parishad Act, 1958. As an interim measure, the Collector of the district was to be its President, the President of the erstwhile District Board its Vice-President and the members of the erstwhile District Planning Committees and a few members of erstwhile Boards as Members. The Balwant Rai Mehta Committee, however, recommended a three tier system of democratic decentralization of establishing 'Zila Parishads' and 'Kshettra Samitis' at the District and the Block levels respectively and 'Gaon Sabhas' at the village level. The recommendations were accepted by the Govt. of India and all State Governments. This resulted in the enactment of the U.P. Kshettra Samitis and Zila Parishads Act, 1961 which has also introduced important changes in the U.P. Panchayat Raj Act, 1947. These are that the

erstwhile Gaon Samaj is now merged into the Gaon Sabha and the Land Management Committee formed under the provisions of the U.P. Zamindari Abolition & Land Reforms Act, 1951 is a sub-committee of the Gaon Panchayat which is the executive body of the Gaon Sabha. Income from land management is available for village development works. Gaon Panchayats can take compulsory manual labour from all adult males between the ages of 21 to 45 years and realise the cost of manual labour from defaulters as arrears of land revenue. A group of Gaon Sabhas is empowered to contribute funds jointly for the establishment of works of public utility such as, primary schools, hospitals or dispensaries, roads or bridges. Pradhans of Gaon Sabhas are *ex-officio* members of Kshettra Samitis and Pramuks of Kshettra Samitis are *ex-officio* members of Zila Parishads.

8.5.5. The U.P. Kshettra Samitis and Zila Parishads Act, 1961 envisages that the Kshettra Samitis and Zila Parishads will be the administrative and technical units of local development and local authority. It also aims at the transfer of all local self government and governmental functions relating to planning and development at and below the district level to these institutions. Kshettra Samitis were established on May 5, 1962 and the provisions of the Act came in force with effect from July 18, 1962. Zila Parishads which were also established from June 30, 1963 have elected Adhyakshas (Presidents). The provisions of this Act do not yet apply to Uttarakhand Division. These multipurpose local authorities are agencies envisaging administration of most of the Government services at the local level in the fields of agriculture, minor irrigation, co-operation, animal husbandry, village and cottage industries, medical and public health, education, social education and cultural activities, Harijan welfare and Public Works; and are, therefore, considered part of the Government. All activities and institutions with which these Kshettra Samitis or Zila Parishads are concerned, along with the services of staff employed on them in Government departments, are therefore, at their disposal with the funds necessary for carrying out those functions. The change in this direction is gradual. Since December, 1964, services of Block staff under the Community Development Department have been placed at the disposal of Kshettra Samitis. It will however take some time before these institutions grow to their full stature and are able to discharge the responsibilities and functions assigned to them.

8.5.6. In the Secretariat, matters connected with District Boards were all through dealt with in the Local Self-Government Department. After the enactment of the U.P. Panchayat Raj Act, 1947, a new department known as the Panchayat Raj Department, which also functioned as the Directorate of Panchayats, was created in the Local Self Government Branch of the Secretariat. The Director of Panchayats was declared as *ex-officio* Deputy Secretary to Government in order to facilitate the smooth working of the combined office, but with the growth of the institution of village Panchayats and the expansion of activities, the Directorate was separated from the Secretariat Department in 1952. The same year, as a result of increased activities in legis-

lative matters on account of the Corporations Bill and work relating to reorganization of District Boards, a new department known as Local Self (Legislation) Department was added. In April, 1962, with a view to co-ordinating the working of the different institutions under the three tier system of democratic decentralization, viz., Zila Parishads at the apex, Kshettra Samitis in the middle and Gaon Panchayats at the bottom of the ladder, the Panchayat Raj Department was transferred from Local Self Government Branch to Planning Branch and in August, 1963, divided into two Sections. As a result of subsequent unification of the development departments at the apex, the Commissioner and Secretary, Department of Agricultural Production and Rural Development was made in charge of Panchayati Raj Department also. As Commissioner, he guides and supervises the work of Zila Parishads, Kshettra Samits and Gaon Panchayats. The Special Secretary in charge of Rural Development, working under the Commissioner and Secretary, Department of Agricultural Production and Rural Development, is basically responsible for Panchayati Raj work and those relating to Community Development programmes. He is also Additional Commissioner, Rural Development, which assignment enables him to supervise the work in the field. The officers at the Secretariat are:

(1) Commissioner & Secretary, Agricultural Production and Rural Development	.. ..	1
(2) Special Secretary, Community Development-cum-Panchayati Raj-cum-Additional Commissioner Rural Development	.. ..	1
(3) Deputy Secretary	.. ..	1
(4) Superintendents	.. ..	2

8.5.7. The subjects dealt with in the Department are broadly as follows:—

#### *Panchayati Raj Department—I*

Establishment matters relating to employees of Panchayat Raj Organization including Forests Panchayats, Zila Parishads and Kshettra Samitis, Grants and Loans to Zila Parishads and Kshettra Samitis.

#### *Panchayati Raj Department—II*

Administration of U.P. Panchayati Raj Act and U.P. Kshettra Samitis and Zila Parishads Act, Welcome addresses presented by these Institutions, Budget, Local Rates, etc. A Rules Unit attached to the Department deals with Legislative matters.

8.5.8. Director of Panchayats is responsible for administration of Gaon Panchayats and Nyaya Panchayats. Matters relating to Zila Parishads and Kshettra Samitis are dealt with directly at the Government level.



## ZILA PARISHADS

8.5.9. Zila Parishads are autonomous bodies exercising jurisdiction in the entire rural areas (as defined in the U.P. Kshettra Samitis and Zila Parishads Act, 1961) in the revenue districts of this State and are responsible for local self-government in that area. Prior to May 1958, there was a District Board for every revenue district except in the districts of Tehri Garhwal and Rampur, created by the merger of Indian States. There was also a Sub-Board for the old Bhadohi District of the erstwhile Benaras district (now merged in the revenue district of Varanasi). Thus, there were 49 District Boards and a Sub-District Board, no District Boards having been set up in the districts of Tehri-Garhwal and Rampur owing to uncertainties of the income potential.

8.5.10. The District Boards had certain obligatory and discretionary functions to perform. Roads, hospitals and dispensaries (both human and veterinary), primary education, public wells, famine preventive works, relief houses, cattle pounds, public ferries, fairs, agricultural shows, vaccination and sanitation, etc., were some of the important subjects constituting their obligatory duties. Discretionary functions included construction of new roads, reclamation of unhealthy localities, furthering educational objects in other ways, construction of minor irrigation works, etc. It was, however, strongly felt that with the attainment of freedom and the advent of democracy, these local bodies had outlived their utility. Their finances were poor and inadequate and there was overlapping of their functions with those of Gaon Panchayats. It, therefore, became essential to have an administrative integration of panchayats, the planning and development set up and the District Boards. It was, accordingly decided to replace the District Boards by more effective and purposeful bodies by enactment of a comprehensive legislation and since this was to take some time, Government dissolved all the District Boards, including the Sub-District Board, Bhadohi, with effect from May 1, 1958 and, in their places constituted interim bodies known as Anta-rim Zila Parishads. They were established only for a short period with a view to facilitating the establishment of Zila Parishads which have since come into existence with effect from June 30, 1963 under the U.P. Kshettra Samitis and Zila Parishads Act, 1961. Now there are 51 Zila Parishads one for each district except for the three districts of Uttarkashi, Chamoli and Pithoragarh.

8.5.11. A Zila Parishad is an indirectly elected body with a membership consisting of the Pramukhs of Kshettra Samitis, the Presidents of Municipal Boards, members of the State Legislature and of both the houses of Parliament as its *ex-officio* members and certain representatives of co-operative institutions and Cane Unions. As these bodies have to play an important role in the field of planning and development, the State Governments are empowered to nominate three persons interested in social, literary, cultural or professional activities to serve as members of Zila Parishad. The above members co-opt certain women and persons belonging to Scheduled



castes also. Every Zila Parishad has an Adhyaksha and Upadhyaksh elected by its members.

8.5.12. The Additional District Magistrate (Planning) or the District Planning Officer, as the case may be, is the Chief Executive Officer of the Parishad. Besides, certain other district level officers of the various development departments have been associated as officers of the Zila Parishad. While the Adhyaksh is empowered to send every year his assessment of the work and conduct of the Chief Executive Officer to the authority which is required to record entries about the work and conduct of the ADM(P) or the D.P.O., the Chief Executive Officer has the right to exercise similar power in respect of other Government officers who are *ex-officio* officers of Zila Parishads.

8.5.13. The Commissioner of the Division and the District Magistrate have powers to inspect the Parishad's records, or to call for any statement or other information or to record in writing any observations for the consideration of the Parishad. In case a Parishad defaults in the discharge of any of its duties, Government can rectify the default by assigning the work to the District Magistrate and get the cost debited to the Parishad's accounts. The Parishads possess powers to make bye-laws and regulations governing certain specified matters.

8.5.14. The budget of a Zila Parishad is prepared by its Executive Committee in consultation with its Finance Committee. After the Parishad has passed the budget so prepared, it is sent to the Commissioner of the Division who may accept it as passed by the Parishad as a whole or with such alterations in respect of that portion only which relates to expenditure out of Government grants towards planning and development activities, as he may think fit. In respect of the remaining portion, the Commissioner can only make his recommendations. A reference to the State Government becomes necessary where a Zila Parishad does not agree with the alterations made by the Commissioner when the decision of the Government is taken as final.

8.5.15. The main sources of their income are fees and taxes which they are authorised to levy under the provisions of the U.P. Kshettra Samitis and Zila Parishads Act, 1961. The District Boards' sources of income were the following:

- (1) Local Rate.
- (2) Circumstances and Property tax.

Local Rate was assessed on land revenue and it constituted the main source of income of the Boards. It was being levied at the rates which had been prescribed statutorily in the U.P. Local Rates Act, 1914. After the abolition of Zamindari, the new land revenue includes it and in order to compensate the Parishads for this loss, the amount of Local Rates, as assessed on or before June 30, 1949, is reimbursed to the Parishads by Government in the shape of grant-in-

aid. The said Act of 1914 was repealed under the provisions of Section 274 of the U.P. Kshettra Samitis and Zila Parishads Act, 1961, with effect from May 5, 1962. The Circumstances and Property Tax is not open for fresh imposition now where it was not already in force before, due to prohibitory provisions of Article 277 of the Constitution of India. The U.P. Kshettra Samitis and Zila Parishads Act, however, authorises the Zila Parishads to continue to levy this tax in the districts where it was being levied earlier under the provisions of the U.P. District Boards Act, 1922."

8.5.16. Another source of income of the Parishads is the various recurring and non-recurring grants-in-aid which they receive from the State Government. Some of these grants are as follows:—

- (1) Non-recurring grants from the U.P. Road Fund for construction, maintenance and repairs of their roads and bridges; grants for the maintenance of unmetalled roads, which were taken over by P.W.D. under the Post-War Road Reconstruction Programme in 1946, but were re-transferred to the Parishads in 1952-53, and other non-recurring grants for repairs to roads, bridges and buildings damaged by excessive rains and floods.
- (2) Subsidy to meet the cost of dearness allowance paid to their employees.
- (3) Management charges to the extent of 15 per cent of income derived from certain *hats*, *bazars* and *melas* of ex-zamindars consequent upon the abolition of Zamindari.
- (4) Non-recurring grants to certain Zila Parishads of hill districts, viz., Almora, Garhwal, Naini Tal and Dehradun to improve their finances.
- (5) Special grants to Zila Parishads, Rampur and Tehri Garhwal for carrying out L.S.G. activities.
- (6) Grants-in-aid for management of public ferries equivalent to the income derived from them.

8.5.17. The power and functions of Zila Parishad include control and regulation of cattle markets and fairs, provision of veterinary facilities, assistance to Kshettra Samitis in promoting and developing village and cottage industries, propagation of family planning; regulation of offensive, dangerous or obnoxious trades, callings or practices; provision of repair and maintenance of public roads, bridges and inspection houses; famine preventive works; establishment of

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11. This tax is levied by the following 26 Zila Parishads: Allahabad, Azamgarh, Bahraich, Bara Banki, Bareilly, Dehra Dun, Deoria, Faizabad, Furrukhabad, Gorakhpur, Hardoi, Jalaun, Kanpur, Lakhimpur-Kheri, Lucknow, Meerut, Mirzapur, Moradabad, Muzaffar Nagar, Pauri Garhwal, Pratapgarh, Rae Bareli, Saharanpur, Shahjahanpur, Sitapur and Varanasi.

It was also being levied by the Zila Parishads of Aligarh, Badaun and Pilibhit but they discontinued it subsequently.

poor houses, orphanages, etc.; preparation of District plan-frame and keeping watch over its implementation; regulation of encamping grounds and where the Sarais Act, 1867, is in force, of Sarais and paraos, including such other functions under the Act as the State Government may direct; the management of such public ferries as may be entrusted to its charge under the Northern India Ferries Act, 1878; regulation of stage carriages and issue of licences therefor, the management of any public or private charities or trusts placed under it by the Government, and consolidation of births and deaths statistics in respect of rural area.

### KSHETTRA SAMITIS

8.5.18. A Kshettra Samiti has been established in every development Block in all the districts of the State, with the exception of districts falling in the Uttarakhand Division. It consists of all Pradhans of constituent Gaon Sabhas; Chairmen/Presidents of all Town Area Committees and Notified Area Committees within the Block; five representatives of Co-operative Societies within the Block and all members of the State Legislature and both Houses of Parliament representing the area. It also co-opts persons, interested in planning and development work, representatives of women and persons belonging to Scheduled castes. A Kshettra Samiti is headed by a Pramukh and two Up Pramukhs—all elected by the members, but the Pramukh can be an outsider.

8.5.19. The powers and functions of Kshettra Samitis include the development of agriculture in all its aspects, improvement of cattle, promotion of local industries, public health, welfare works, planning and collection of data and maintenance of statistics, etc. The Kshettra Samitis have been made responsible for primary education. The responsibility to manage and control cattle pounds in accordance with the provisions of the Cattle Trespass Act, 1871, has now been passed on from the erstwhile District Boards to Kshettra Samitis. The rates of fines in respect of various categories of cattle are however prescribed by the State Government.

8.5.20. Every Kshettra Samiti has to function through a Karya Karini (Executive), an Utpadan Samiti (Production Committee) and Kalyan Samiti (Welfare Committee). The Pramukh, the Senior Up Pramukh and the Junior Up Pramukh are *ex-officio* Chairmen of these Committees respectively.

8.5.21. Since the Kshettra Samiti now executes the development Plan at the block level, the services of all officers and staff which were hitherto employed at development blocks have been placed at the disposal of the Kshettra Samiti concerned.

### AUDIT AND ACCOUNTS ORGANIZATION FOR ZILA PARISHADS AND KSHETTRA SAMITIS

8.5.22. The U.P. Kshettra Samitis and Zila Parishads Act, 1961, provides for the appointment of an Accounts Officer in each Zila

Parishad. Since some important functions of the Government have been transferred to Zila Parishads and Kshettra Samitis, they would have substantial funds at their disposal in the shape of grants, subsidies and loans from Government. The Accounts Officer would also act as financial adviser and internal auditor for Zila Parishads and as financial adviser and inspecting officer for Kshettra Samitis. The Organization is headed by a Chief Accounts Officer, Zila Parishads, at the headquarters of Government, to organize the scheme of audit and accounts and prepare financial rules for these bodies.

## PANCHAYATS

8.5.23. With the enactment of the U.P. Panchayat Raj Act, 1947, there came into existence in each village three types of bodies for the purpose of day to day administration. These are the Gaon Sabhas, Gaon Panchayats and Nyaya Panchayats, which are respectively the legislative, executive and judicial bodies.

(1) *Gaon Sabhas*. A Gaon Sabha consists of all adults ordinarily resident in the area for which it is established. It is empowered to pass its own budget with the approval of the Prescribed Authority under the Act, viz., the District Panchayat Raj Officer. Some of the compulsory duties of a Gaon Sabha are the construction, repair, maintenance and lighting of public paths, maintenance of a birth and death register, arrangements for water supply, prevention of spread of epidemics, looking after public buildings, etc. Among the optional duties of Gaon Sabha are the opening of libraries, dispensaries, planting of trees on public highways, etc.

(2) *Gaon Panchayats*. A Gaon Panchayat is an elected body of the Gaon Sabha, whose primary duty is to implement the decision of the Gaon Sabha. It consists of a Pradhan and 15 to 30 members elected by the Gaon Sabha. Election of members of a Gaon Panchayat is held by show of hands, while that of Pradhan through secret ballot.<sup>12</sup> The members elect an Up Pradhan every year from among themselves. The term of a Gaon Panchayat is five years and may be extended by the State Government up to ten years.

(3) *Nyaya Panchayats*. A Nyaya Panchayat decides petty civil, revenue and criminal cases. Its members known as 'Panch' are appointed by the District Magistrate from amongst the members of the Gaon Panchayats. The Panchs of Nyaya Panchayats elect from among themselves a Sarpanch and Sahayak Sarpanch. The term of Panchs expires with the expiry of the term of the Gaon Panchayats, but the Sarpanch and Sahayak Sarpanch continue in office till their respective successors are elected.

8.5.24. Legal practitioners have been debarred from appearing

12. In view of the recommendations of the Santhanam Committee on manner of Panchayat elections, the State Government modified this arrangement by enacting the U.P. Panchayat Raj (Amendment) Act, 1968, providing for secret ballot in elections to the office of a Pradhan or Up-Pradhan of Gaon Sabha as also a member of Gaon Panchayat.

before Nyaya Panchayats. Decisions of Nyaya Panchayats are not appealable, but there is provision for an application for revision before a Sub-Divisional Officer, Sub-Divisional Magistrate or a Munsif in revenue, criminal and civil cases respectively within 60 days of the decision of the Nyaya Panchayat. The above authorities are also empowered to quash or modify the orders passed by Nyaya Panchayats.

#### DIRECTORATE OF PANCHAYATS, UTTAR PRADESH

8.5.25. The Director of Panchayats, U.P., who has his headquarters at Lucknow, is assisted by three Deputy Directors. The Deputy Director (Administration) deals with the inspection of district level officers, establishment of District Panchayat Raj Officers, Assistant Development Officers (Panchayat and Social Education), Panchayat Secretaries and other staff attached to the headquarters office and the District Panchayat Inspectors' Offices, income and expenditure of Gaon Sabhas, Panchayat Tax Collections, rewards to Gaon Sabhas and annual administration report. The Deputy Director (Panchayats) looks after the working of the U.P. Panchayat Raj Act, 1947 and rules framed thereunder; complaints against office-bearers of Gaon Panchayats and Nyaya Panchayats, constitution of Gaon Sabhas and Nyaya Panchayats, and their reorganization, election to Gaon Panchayats, Panch Sammelans, study camps and conferences, collection of various statistics from Panchayati Raj institutions and preparation of progress reports. The Deputy Director (Accounts) mainly deals with the budget of the Directorate, income from court fees and fines realized under the Panchayat Raj Act; audit notes and their compliance; and personal ledger accounts of Gaon Sabha and Nyaya Panchayat Funds.

8.5.26. At the district level, the District Planning Officers/Additional District Magistrates (Planning) are *ex-officio* District Panchayat Officers and work under the general supervision of the District Magistrates with regard to the working of the Panchayat Raj administration. With the exception of the three districts of Chamoli, Pithoragarh and Uttar Kashi in the Uttarakhand Division, there is a District Panchayat Raj Officer in all districts of the State to assist the District Panchayat Officer in the day-to-day administration. The District Panchayat Office is pooled in the District Planning Office and forms part of it.

8.5.27. At the Block level, which now corresponds to a Kshetra, there are Assistant Development Officers (Panchayat and Social Education) who inspect and guide the Gaon Panchayats and Nyaya Panchayats in their day-to-day working. A Panchayat Secretary is posted in each Nyaya Panchayat Circle; and looks after the work of the Nyaya Panchayat and of six to ten Gaon Panchayats falling within his Circle. Training to Panchayat Secretaries is imparted at the Village Level Workers Training Centres run by the Community Development Department at various places.



8.5.28. Powers exercisable by the State Government under the provisions of the U.P. Panchayat Raj Act, 1947, and rules framed thereunder, have been delegated to the Director of Panchayats, U.P. and other subordinate officers except in certain important matters such as extension of the term of Gaon Panchayats, appointment of Prescribed Authorities and the framing of rules. The State Government, or an officer authorized by them in this behalf, can order for inspection of any immovable property of Gaon Sabha used or occupied by a Gaon Panchayat. They may also call for the record of proceedings of Gaon Panchayats or Nyaya Panchayats and record their observations for consideration of these bodies. The State Government are also empowered to institute any inquiry against a Gaon Sabha, Gaon Panchayat or Nyaya Panchayat and to suspend, supersede, dissolve or take over the administration of these bodies if it is noticed that they have abused their position or have failed to perform their duties as required under the Act.

8.5.29. The Director of Panchayats, U.P. is empowered to notify the establishment and constitution of Gaon Sabhas. He is also authorised to issue instructions regarding the constitution of joint committees of Gaon Panchayats for the establishment of primary schools, hospitals and dispensaries for a group of Gaon Sabhas. The Sub-Divisional Officers have been authorised to suspend or remove from office any member of a Gaon Panchayat, or a joint committee or any office-bearer of Gaon Sabhas, Panch, Sahayak Sarpanch or Sarpanch of a Nyaya Panchayat, for failure to perform his lawful duties or incapacity to discharge the duties assigned to him.

8.5.30. The Deputy Chief Audit Officer, Panchayats, who works under the supervision of the Chief Audit Officer, Co-operative Societies and Panchayats, Uttar Pradesh and looks after the audit of accounts of Gaon Sabhas and Nyaya Panchayats, functions under the administrative control of the Finance Department.

8.5.31. The State Government also appoint under the provision of U.P. Panchayat Raj Act, a Director of Elections (Panchayats) to supervise and control the work relating to elections to Gaon Panchayats. The office of the Director of Elections (Panchayats) is normally held by a law officer at the headquarters of Government.



## Acts, Rules, Regulations and Manuals relating to Panchayati Raj Department

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, etc.</i>	<i>Year</i>	<i>Authority under which framed or enacted</i>
<b>ACTS</b>			
1.	Sarais Act	1867	Govt. of India
2.	Local Authorities Loans Act	1914	Govt. of India
3.	U. P. District Board Act	1922	State Govt.
4.	U. P. Melas Act	1938	—do—
5.	U. P. Panchayat Raj Act	1947	—do—
6.	Local Authorities Loans (U.P. Amendment) Act	1948	—do—
7.	U. P. Antarim Zila Parishad Act	1958	—do—
8.	U.P. Kshettra Samitis and Zila Parishads Adhiniyam (Act).	1961	—do—
<b>RULES, REGULATION &amp; MANUALS</b>			
1.	U. P. Panchayat Raj Rules	—	—do—
2.	Rules and Orders issued under the U.P. Kshettra Samitis & Zila Parishads Act.	—	—do—
3.	District Board Manual		—do—
4.	Panchayat Raj Manual		—do—
5.	Kshettra Samitis & Zila Parishads Manual		—do—

## 8.6. CO-OPERATIVE DEPARTMENT

8.6.1. Co-operative movement in India owes its origin to the problem of agricultural credit. When Mr. Dupernex, ICS., was placed by the Government on special duty in 1900, he published a book entitled "Peoples' Bank for Northern India", suggesting the formation of co-operative credit societies. A few such societies were formed in 1901 with government grants and private funds for advancing loans to their members on low rates of interest. About the same time, the matter was taken up by the Government of India who came forward with the Co-operative Credit Societies Act, 1904 under which the State Government appointed in that year the first Registrar of Co-operative Societies and formed the Co-operative Department. Need was, however, felt for the recognition of societies dealing in distribution of goods and concerned with several other non-credit activities. The Co-operative Societies Act of 1912 enabled the setting up of non-credit societies and placed the registration of central banks and other non-primary units on statutory basis to facilitate the formation and operation of lower units. The constitutional reforms introduced through the Government of India Act, 1919 made 'Co-operation' a State (then Provincial) subject. The movement, however, could not maintain the momentum with which it was initiated mainly because of the lack of understanding by the general public of the principles of co-operation. The main effort of the Department during the period after the first World War was to consolidate what had been achieved earlier. The introduction of co-operative dairying in 1938-39 marked a significant addition to the co-operative activity. In 1944, the institution known as the U.P. Co-operative Federation was organised. It is the apex institution of all co-operative marketing and trading organizations in the State. In the post-independence period multipurpose co-operative activities received greater impetus. In 1948, the distribution of seed amongst agriculturists, which was originally the function of the Agriculture Department, was transferred to the Co-operative Department. In 1951, the scheme of co-operative farming was introduced; it has since then acquired considerable significance as the future agrarian pattern of the country.

8.6.2. The Co-operative Societies Act, 1912 provided for audit of accounts of societies by the Registrar. With a view to providing for independence of audit, a separate co-operative audit organization was set up in 1953 under the administrative control of the Finance Department with a Chief Audit Officer, who exercises the powers of the Registrar in respect of such audit.

8.6.3. On the recommendation of the All India Rural Credit Survey Committee and during the Second Five-Year Plan a scheme was adopted for (a) linking co-operative credit with co-operative marketing on the one hand and with the production on the other, (b) channelising the field produce of the agriculturist through co-operative marketing societies, and (c) recovery of loans through the

medium of societies themselves. A State Warehousing Corporation was established in 1958 as need for providing agriculturists and marketing societies with facilities for scientific storage of the produce was felt. A State Land Mortgage Bank was also set up in 1959, with branches all over the State to supply long term credit for the facility of tenure holders. The State gets financial assistance from the Government of India, the National Co-operative Development and Warehousing Board and the Reserve Bank of India in respect of co-operative schemes. It was also felt necessary in the meantime to make provision in the law for certain additional functions and responsibilities of co-operative societies and the authorities entrusted with their supervision, guidance and control. It was also thought proper to liberalise and modify the existing provisions to suit the changed circumstances and give a fillip to co-operative movement. The old Act of 1912 was therefore repealed with the enactment of the U.P. Co-operative Societies Act, 1965 (U.P. Act No. XI of 1966).

8.6.4. In the Secretariat, the work of co-operative societies was handled in the Agriculture Department, but in 1921, it was transferred to the Industries Department. Again in 1947, after it became a full working department in the Secretariat, it was transferred to the charge of Secretary, Agriculture. The work of Cane Development, which was previously done in the Agriculture Department, was also transferred to the Co-operative Department in 1958 and was placed under a whole time Secretary known as Secretary, Co-operative and Cane. On the recommendations of the Working Group on Inter-Departmental and Institutional Co-ordination for Agricultural Production set up by the Government of India, and as indicated in chapter 8.2, the Commissioner and Secretary, Department of Agricultural Production and Rural Development was made incharge of Co-operative Department too in February-April, 1964. He has also the field status to enable him to guide and supervise all activities in the sphere of 'Co-operation' and for proper co-ordination in all agricultural programmes.

#### 8.6.5. The Secretariat Officers comprise of:

Commissioner and Secretary for Agricultural Production & Rural Development, U.P.	..	..	1
Joint or Special Secretary (Co-operative and Cane Development)	..	..	1
Deputy Secretary	..	..	1
Assistant Secretary	..	..	1
Superintendents	..	..	2

8.6.6. The subjects dealt with in the two Sections of the Department are as below:—

#### *Co-operative (A) Department*

1. Administration of Co-operative Societies Act and Rules made thereunder.

2. Agricultural Credit (Relief and Guarantee) Fund and State Co-operative Development Fund.
3. Agricultural marketing.
4. U.P. Co-operative Federation, District Co-operative Federation, U.P. Co-operative Union and District Co-operative Unions.
5. Co-operative Banks.
6. Loans and grants to co-operative institutions.
7. Co-operative Credit.
8. Co-operative Housing Societies, seed stores, brick kilns, multi-purpose co-operative societies, service co-operatives.
9. Marketing and processing.
10. Intensive Agricultural District Programme (Package Scheme).
11. Land Development Banks.
12. Consumer Co-operative Societies.
13. Lac Development Scheme.
14. Herb Development Schemes and Drug Factory at Rani-khet.

*Co-operative (B) Department*

1. Establishment matters relating to the staff in Co-operative Organizations.
2. Co-operative Tube-wells, Colonization and Land Management Societies.
3. Warehousing Schemes and Warehousing Corporation.
4. Co-operative Farming and Dairying Schemes.
5. Delhi Milk Supply Scheme and Milk Unions.

(The Department also deals with sugar-cane development schemes.)

ORGANIZATION OF THE OFFICE OF THE REGISTRAR, CO-OPERATIVE SOCIETIES, U.P.

8.6.7. The Registrar, Co-operative Societies, who is a head of department, has his office at Lucknow. His main duties under the Co-operative Societies Act, 1965, are to register societies, to approve of their amalgamation or division and of the amendments in their bye-laws; to inspect them and have their accounts audited; to hold inquiries into their constitution, working and financial conditions; to cancel and wind them up in case of mis-management; to arbitrate or to appoint arbitrators for settlement of their disputes and to hear appeals in arbitration proceedings. He can levy surcharge on any

person who, as a participant in the organization or management of a society, is responsible for misappropriation or for causing loss to it. He co-ordinates activities and implements schemes included in the plan and gives advice and directions to Deputy Development Commissioners and District Planning Officers. He is the licensing authority under the provisions of the U.P. Warehouse Act, 1958, *ex-officio* chairman of the apex co-operative institutions although under the policy of de-officialisation, the elected non-official vice-chairmen are allowed in practice to assume the powers of chairman. It is his responsibility to see that the State aid available to the societies is properly utilised and that the co-operatives play the part assigned to them in the planning and development schemes of the State. The functional distribution of his authority in respect of cane co-operatives and industrial co-operatives is with the Cane Commissioner and the Director of Industries respectively. Though the Co-operative Audit Organization is independent of the Registrar, the latter is consulted by the Chief Audit Officer in the programme and procedure of Audit.

8.6.8. The Registrar is assisted at the headquarters by the following officers:

1. *Additional Registrar (Marketing)*. He is assisted by a Deputy Registrar (Warehousing) and a Deputy Registrar (Seed) and looks after marketing, processing, warehousing and labour co-operatives; seed and non-credit co-operative organisations and co-operative federations.

2. *Additional Registrar (Development)*. He is assisted by a Deputy Registrar (Plan), a Deputy Registrar (Farming) and an Assistant Registrar (Credit), and looks after the credit side of the co-operative movement, registration of co-operative societies, colonization, co-operative housing, co-operative farming, audit and matters connected with co-operative law.

3. *Additional Registrar (Consumers' Co-operatives)*. He looks after consumers' co-operative societies and is assisted by an Assistant Registrar.

4. *Five Deputy Registrars*. They have been assigned functions as follows:

- (i) Deputy Registrar (Headquarters)—Establishment, budget and accounts of the whole organization.
- (ii) Deputy Registrar (Warehousing)—Marketing, processing and Warehousing and labour co-operatives.
- (iii) Deputy Registrar (Development)—Development, Audit, Liquidations, Arbitration & Embezzlements.
- (iv) Deputy Registrar (Plan)—Registration, Co-operative law and other legal matters.
- (v) Deputy Registrar (Farming)—Farming and Seed Stores, etc.

5. *Senior Accounts Officer.* He inspects and maintains the departmental accounts, including those of the seed stores, with the help of a few Accounts Officers.

6. *Chief Dairy Development Officer.* He has with him a Deputy Dairy Development Officer and a Dairy Surveyor and functions as technical adviser to the Registrar in matters relating to dairying and milk schemes.

7. *Education-cum-Publicity Officer.* He looks after the work relating to training of officials and non-officials in matters relating to co-operatives and carries out publicity and propaganda of the departmental schemes.

8. *Agriculture Officer.* He is assisted by an Assistant Agriculture Officer and looks after the matters relating to collection, storage and distribution of seed, fertilizers and implements; gives technical advice to the Registrar in these matters and maintains liaison with the Agriculture Department.

9. *Processing Adviser.* He has an Assistant Registrar to help him and gives advice to the Registrar in technical matters relating to co-operative processing units.

10. *Assistant Registrars.* Five Assistant Registrars provide general help to the Registrar, Additional Registrars and Deputy Registrars.

11. *Statistician.* He functions as a technical adviser to the Registrar.

12. *Personal Assistant.* Besides assisting the Registrar in his work, he is also incharge of the work relating to registration of societies.

8.6.9. The above work is distributed in the headquarters office in about twenty-five sections. The Additional and the Deputy Registrars at the headquarters exercise the powers of the Registrar under the Co-operative Societies Act.

## REGIONAL OFFICES AND FIELD ORGANIZATION

### *Regional Offices*

8.6.10. There are ten regional offices, one in each revenue division, each under the charge of a Deputy Registrar except that the Jhansi and Kumaon Regions are under the charge of Assistant Registrars. The location and jurisdiction of these regional offices is as below:

#### *Regional Office*

#### *Districts under its jurisdiction*

Deputy Registrar,

Co-operative Societies,  
Agra

Aligarh, Mathura, Agra, Mainpuri, and  
Etah.

-do- Allahabad

Farrukhabad, Etawah, Kanpur, Fatehpur  
and Allahabad.



*Regional Office**Districts under its jurisdiction*

Deputy Registrar,

Co-operative Societies,  
Bareilly

-do- Gorakhpur

-do- Lucknow

-do- Meerut

-do- Varanasi

-do- Faizabad

Bareilly, Bijnor, Badaun, Moradabad, Shah-jahanpur, Pilibhit and Rampur.

Gorakhpur, Azamgarh, Basti and Deoria.

Lucknow, Unnao, Rae-Bareilly, Sitapur, Hardoi and Kheri.

Dehra Dun, Saharanpur, Muzaffarnagar, Meerut and Bulandshahr.

Varanasi, Jaunpur, Mirzapur, Ghazipur and Ballia.

Faizabad, Gonda, Bahraich, Sultanpur, Pratapgarh and Barabanki.

Jhansi, Jalaun, Hamirpur and Banda.

Assistant Registrar,  
Incharge Co-operative  
Societies, JhansiAssistant Registrar,  
Incharge Co-operative  
Societies, Naini Tal

Naini Tal, Almora, Tehri-Garhwal, Pauri-Garhwal, Pithoragarh, Chamoli and Uttarakashi.

These regional officers have all the powers of the Registrar under the Co-operative Societies Act and Rules in respect of their regions. They control the field staff serving under the departmental officers or under the planning authorities and watch the proper working and implementation of co-operative schemes. They are members of the Divisional Planning Committees, where they co-ordinate the departmental activities with those of other development departments.

*Organization at the District and Block Levels*

8.6.11. An Assistant Registrar, Co-operative Societies, is in charge of all co-operative activities in a district and is responsible for the proper organization and sound working of co-operative schemes in his district. He has to keep himself in touch with the people and enlist their sympathy for the benefit of the movement. He is assisted by one or more co-operative inspectors and/or Additional District Co-operative Officer in the general discharge of his duties and by a statistician. The Assistant Registrar has no independent office of his own. The District Planning Officer is the controlling and co-ordinating officer of all the development departments at the district level and is the head of the planning team of which the Assistant Registrar is a member. This arrangement was adopted in 1955. The ministerial and inferior staff of the Co-operative Department at the district level forms part of the district pool under the administrative control of the District Planning Officer. The Assistant Registrar gets clerical assistance from the Co-operative Section of the District Planning Office.

8.6.12. The Assistant Registrar receives applications for regis-

tration of new co-operative societies, prepares annual returns of all societies under his charge; inspects co-operative banks, societies, unions and federations and decides on proposals for distribution of their profits; accepts arbitration cases, appoints arbitrators and hears appeals against their decisions; supervises liquidation proceedings, permits a society to borrow money from outside and keeps watch on the working of seed stores under his charge. He exercises supervision and control over departmental field staff as well as that of the U.P. Co-operative Union, except that such supervision and control over the staff engaged for co-operative work under the planning set up is exercised by him through the Block Development Officer. He is a member and convener of the local disciplinary sub-committee of the U.P. Co-operative Union for dealing with cases against co-operative supervisors and also of the *ad hoc* committee of the Union for supervising and guiding the working of the non-official co-operative education unit in a district. He represents the Registrar on the Boards of Management of societies where byelaws provide for such nomination and also the State Government, wherever nominated, in the co-operative institutions in which State Government is a partner. Most of the bigger Consumers' Co-operative Societies as also Co-operative Farming Societies are run each under the care of an Assistant Registrar, whose services are loaned to these Societies.

8.6.13. For purposes of the five year plans a district is divided into Blocks, each under the charge of a Block Development Officer belonging to the Community Development Department, who looks after the entire development work of the various departments. In the field of Co-operation, he is answerable to the District Planning Officer and the Assistant Registrar (Co-operatives). The Block Development Officer is assisted by an Assistant Development Officer (Co-operatives) who looks after practically all the work concerning 150 to 200 societies in the field which a district co-operative officer is required to supervise.

8.6.14. On the lowest rung of the co-operative ladder is the Co-operative Supervisor who is an employee of the U.P. Co-operative Union, but functions under the immediate control and supervision of Co-operative Inspector or the Assistant Development Officer (Co-operatives) each having about 20 to 30 societies. In particular, he looks to the organization of societies and attends all their meetings, sees that their deliberations are in accordance with the provisions of the Act, rules and bye-laws of the societies, helps in distribution and recovery of loans advanced for agricultural production and purchase of livestock and supervises maintenance of accounts. He is also the Honorary Secretary of Block Unions, wherever they exist and is also incharge of the seed store where he is assisted by a Kamdar, who too is an employee of the U.P. Co-operative Union.<sup>13</sup> There are at least

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13. The position in this regard has since been changed while the book was in the press. The services of these Supervisors are now being transferred to the administrative control of the District Co-operative Banks.

two co-operative seed stores in each Block which supply to the farmers improved seeds, fertilizers, pesticides, and improved implements including plant protection machines.

8.6.15. The special schemes of the Department are:

### 1. *Co-operative Farming Societies*

Co-operative Farming was adopted as national policy in 1959 and its broad features are the pooling of limited resources for economic farming and joint management of small holdings by securing common benefits in irrigation, reclamation of land, supply of improved implements, manures and fertilizers and marketing of produce.

There is an Assistant Registrar, Farming, Varanasi Division and one at Rampur for Rohilkhand and Kumaun Divisions. They give technical advice to their respective regional officers. They are assisted by senior and junior farming inspectors posted in co-operative farming pilot projects. One senior inspector is attached to the Assistant Registrar, In-charge Jhansi Region and one Junior Inspector to the Assistant Registrar of Jhansi District. About 100 co-operative farming supervisors attend to the working of these societies and their accounts in various districts. The inspectors and supervisors work under the control of the Assistant Registrar. There is a Co-operative Farming Training Institute at Rampur under the control of the Deputy Registrar, Bareilly Region, with a senior Inspector as its incharge for imparting training to non-officials interested in the scheme.

### 2. *Co-operative Training Institutes*

The Department runs nine training institutes one each at Lucknow, Bilari (Moradabad), Hastinapur (Meerut), Jalalpur (Aligarh), Mahson (Basti), two at Kurwa (Sultanpur) and two at Varanasi for imparting training to co-operative supervisors. Each is under the charge of a Principal who is an Assistant Registrar of the Department, assisted by three lecturers. The programme at these institutes is governed by the instructions and syllabi issued by the Central Committee for Co-operative Training constituted jointly by the Government of India and the Reserve Bank of India. The Institutes are under the superior charge of the Deputy Registrar of the Region concerned while the Education-cum-Publicity Officer at the Headquarters gives them technical guidance and supervision.

### 3. *Co-operative Milk Scheme*

There is an Assistant Registrar, Milk Scheme, at Aligarh to supervise the work of co-operative milk societies supplying milk to the factory of Glaxo Laboratories Ltd., Aligarh. Most of the big towns of the State have co-operative milk societies and unions both for the benefit of milk producers as also of consumers. A Senior Milk Inspector each at Agra, Allahabad, Almora, Haldwani, Kanpur, Lucknow, Meerut and Varanasi supervises the proper working of the milk societies in his circle and sees that they supply milk

regularly to the milk Unions for distribution. A whole time inspector is posted as Manager, Haldwani Milk Union and another at Meerut under the Delhi Milk Supply Scheme. The Department also manages a dairy at Agra under a Dairy Manager. Teams of Milk Inspectors and Supervisors survey the areas allotted to them for the availability of milk and general suitability of the areas for starting a co-operative milk union.

#### 4. *Co-operative Colonization Societies*

This scheme for rehabilitation of ex-servicemen, displaced persons, political sufferers, landless persons and agriculture graduates was introduced in 1948. The societies situated in different colonies are supervised by Co-operative Officers, under the control of Regional Deputy Registrars and Assistant Registrars of the districts, with headquarters and charges as follows:

- (1) Co-operative Officer, Ganga Khadar Colony.  
Hastinapur (Meerut).
- (2) Co-operative Officer, Dungagiri (Almora), Afzalgarh  
Kashipur (Naini Tal). (Bijnor) and Kashipur Colonies.
- (3) Co-operative Officer, Tarai Colony, Naini Tal and  
Tarai, (Naini Tal). Manunagar (Rampur) Colony.

Schemes in Lakhimpur Kheri and Pilibhit districts for settlement of un-employed educated persons and in Dharamnagri area, district Bijnor, and in Shakti and Ratan Farms in Naini Tal District are administered by the district revenue authorities.

#### 5. *Development and marketing of medicines, herbs, lac, cotton and sun-hemp.*

The Co-operative Drug Development Scheme in Almora was introduced to raise the potentialities of collection and marketing of herbs on co-operative lines. There is a Co-operative Drug Factory at Ranikhet run by the U.P. Co-operative Federation, as also a Pharmaceutical Laboratory within the premises of the Factory, under the charge of a Pharmaceutical Expert. The Laboratory is engaged in the survey and study of medicinal plants and on training in identification, collection, grading, storage and marketing of herbs. There is a Lac (shellac) Factory at Mirzapur with a Manager working under the Deputy Registrar, Varanasi. The Manager supervises the cultivation of lac through co-operative societies. An Inspector attached to the Deputy Registrar, Agra, supervises the activities of marketing societies of Agra Division in connection with the marketing of cotton. Similarly, an Inspector at Varanasi supervises and co-ordinates the marketing of sun hemp.

8.6.16. The apex co-operative institutions are:

#### 1. *U.P. Co-operative Federation, Lucknow*

This Federation is formed with district co-operative federa-

tions, co-operative marketing societies, co-operative banks and the State Government as members. It is managed by a Board of Directors consisting of 19 members—12 elected from amongst the share-holders, 5 nominated by the Government and 2 as *ex-officio* members. The Registrar, Co-operative Societies is the *ex-officio* President of the Federation. The Secretary of the Federation, who is the Chief Executive Officer, is nominated by the Registrar.<sup>14</sup> Its main activities are concerned with the promotion of agricultural production and marketing of produce such as gur, sun hemp, etc., within and outside the State as also outside the country through the State Trading Corporation of India and distribution of chemical fertilizers, cement, coal-dust for brick kilns, sugar, seed and other consumer goods. It runs a Co-operative Drug Factory at Ranikhet, ghee grading stations, cottage industry show-room and shop at Bombay and a printing press at Lucknow. A District Co-operative Federation at the headquarters of each district functions under the guidance of the U.P. Co-operative Federation. It facilitates the working of co-operative block Unions<sup>15</sup> in the sphere of marketing, production and distribution.

## 2. U.P. Co-operative Bank, Lucknow

This is the apex institution of all co-operative credit and banking organizations of the State. It was established in 1944 for the purpose of serving as a banker's bank and balancing centre of the entire co-operative movement. Membership of the bank consists of individuals, U.P. Co-operative Federation, district and central co-operative banks, district co-operative federations, cane unions, milk unions, large-sized and primary agricultural credit societies, other societies and the State Government. The Registrar, Co-operative Societies is the *ex-officio* President of the Board of Directors.<sup>16</sup> The Bank provides facilities on the same lines as offered by joint stock and commercial banks. It advances loans to district and central co-operative banks, other unions, federations and societies for providing short-term finance to these bodies for agricultural operations and marketing of crops. It also acts as the agency of the Government for advancing loans to private builders for construction of their houses under the Low-income and Middle-income Groups Housing Scheme. It has branches located at Almora, Agra, Barabanki, Bareilly, Faizabad, Gonda, Kanpur, Pilibhit, Rampur, Sitapur and Varanasi. These branches are being replaced by district co-operative banks. The District Co-operative Bank at the headquarters of a district, where it exists, or a Central Co-operative Bank at a place other than the headquarters of a district, finances the village societies affiliated to it.

14. Under the Co-operative Societies Act, 1965, the Board of Directors will now have an elected Chairman. The Secretary will also now be appointed by the Board of Management.

15. These Unions are organized at the headquarters of seed stores for a group of 15 to 20 multipurpose societies in the villages round about the seed stores.

16. See foot note No. 14.



### 3. *U.P. Co-operative Union Ltd.*

Till 1928, matters concerning supervision, organization and financing of primary co-operative societies were entrusted to the agency of co-operative banks. It was felt in that year by the Oakden Committee that the financing bodies had given their attention chiefly to the advancing and realisation of loans and had neglected the function of supervision. This resulted in the constitution of the U.P. Co-operative Union with a membership consisting of credit and non-credit registered societies, banks, unions and federations, nominated members and *ex-officio* members, viz., Registrar, Deputy Registrars and Assistant Registrars of Co-operative Societies, Cane Commissioner and Cane Development Officers. The Registrar is the *ex-officio* President of the Union, although it is the elected Vice-President who performs all the functions of President.<sup>17</sup> The Union advises the Department in matters of policy, brings together and educates the members of co-operative institutions in the State and recruits centrally and maintains a staff consisting of supervisors<sup>18</sup> and Kamdars for proper supervision of member societies. The Union levies contribution from seed stores and marketing societies for the services of their staff in these institutions. The Union consists of a General Body, State Committee which controls its business subject to the approval of the General Body and an Executive Committee under the general control of the State Committee, with which rests the administration of the Union. The Secretary of the Union is its chief executive officer. A district committee of the Union consists of the Managing Director of the District Co-operative Bank as Chairman and an elected director of the district co-operative federation with the district Assistant Registrar as members. It deals with disciplinary matters of the employees of the Union, and co-ordinates the working of the Union with member societies. A Regional Committee with the Regional Deputy Registrar and a nominee of the Executive Committee of the Union hears appeals against the decisions of the district committee.

The Union publishes a monthly Hindi Magazine "Sahkarita" and a quarterly "U.P. Co-operative Journal" along with other co-operative literature.

### 4. *U.P. State Co-operative Land Development Bank, Ltd., Lucknow*

This bank formerly known as the U.P. State Co-operative Land Mortgage Bank Ltd., with branches in some districts, advances long term credits for reclamation or permanent improvement of land, and purchase of heavy implements and machines by agriculturists.

### 5. *U.P. State Warehousing Corporation, Lucknow*

A number of warehouses have been set up under the Corporation as part of the integrated scheme of credit marketing and warehousing at important centres of the State. The warehouse receipts have ac-

17. As in foot note No. 14.

18. See foot note No. 13.



quired easy negotiability and loans against them are available from the State Bank of India and other banks.

#### 6. *Pradeshik Co-operative Dairy Federation*

The membership of the Federation which was registered in April, 1962, is open to (i) Central Co-operative Milk Societies by whatever name called but registered under Co-operative Societies Act and (ii) apex level institutions of the State registered under the Co-operative Societies Act. According to its bye-laws, the Federation should:

- (i) assist its members in the selection of sites for dairy buildings and chilling centres, prepare lay-outs and building plans and supervise the work of construction and setting up dairy plants; and
- (ii) do all such things as are likely to promote and develop co-operative business of milk and milk products.

#### 7. *U.P. Consumers Co-operative Federation Ltd. (U.P. Upbhokta Sahkari Sangh Ltd.)*

This Federation set up at Lucknow in 1965, looks after the co-operative consumers scheme in the State. Its objects primarily are to co-ordinate and facilitate the working of the affiliated whole-sale co-operative stores and to assist in the promotion, organization and development of whole-sale consumer co-operative stores. Its membership consists of consumers co-operative whole-sale stores, U.P. Co-operative Federation, other apex co-operative organizations and Government nominees. Members of the public who have business relationship with the Federation are also its nominal members but do not take part in the management of the Federation. One of the programmes of the federation is to set up department stores (Super-Markets) for the benefit of consumers in big towns and cities in the State.

8.6.17. Some of the important Boards, Committees, etc., are:

#### 1. *Co-operative Farming Advisory Board*

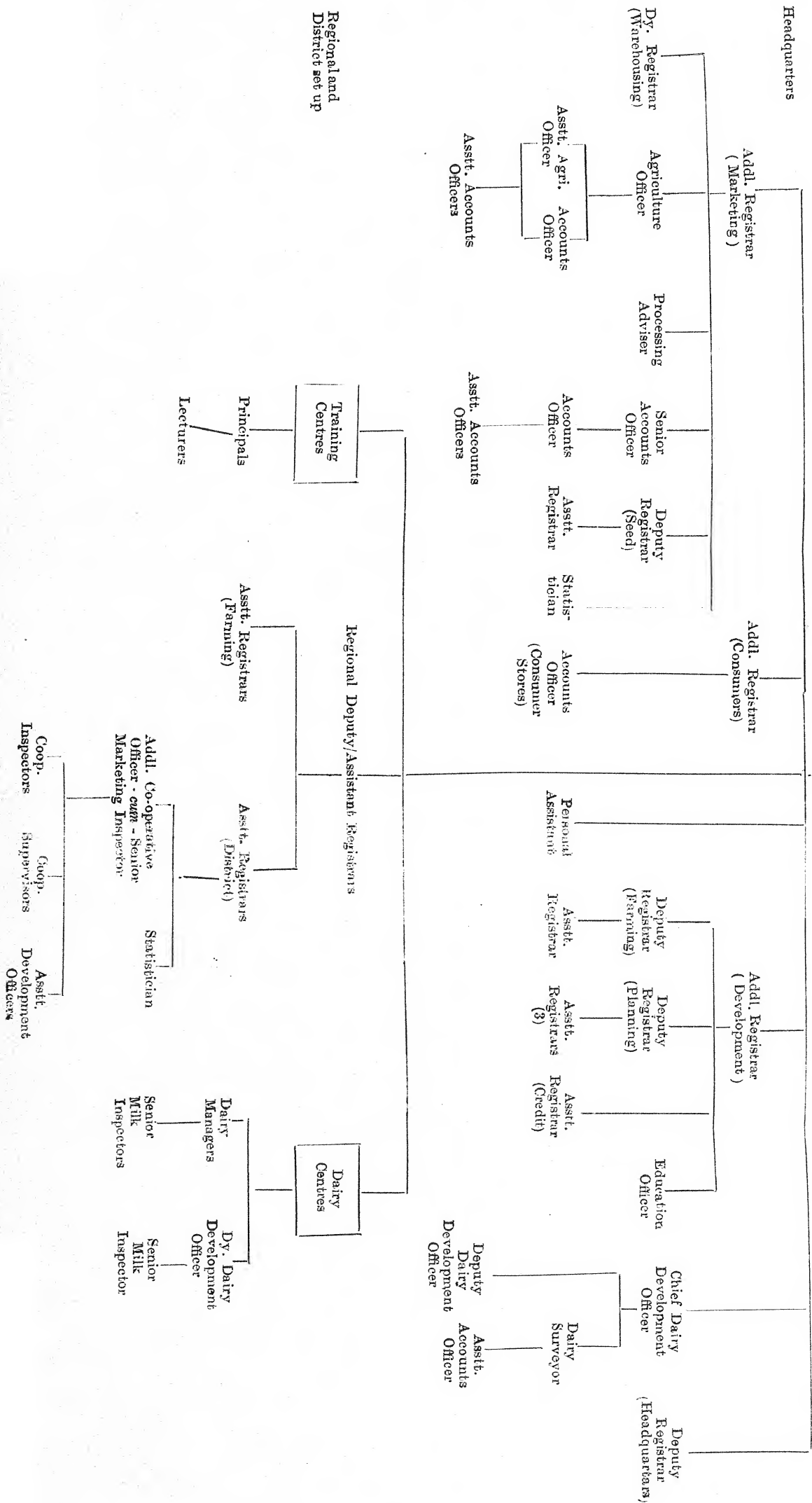
This Board, with Minister for Co-operation as its Chairman, considers proposals regarding planning and promotion of the programme of co-operative farming on voluntary basis and assesses the requirements and recommends the pattern of financial assistance.

#### 2. *Standing Committee of Legislature on Co-operation*

This Committee, with the Minister for Co-operation as Chairman, holds its meetings from time to time to advise Government on various problems relating to the Co-operative movement in the State.

There are numerous other small committees. Conferences and seminars are also held at various levels for the propagation of co-operative movement in the masses.

## Registrar, Co-operative Societies



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## Acts, Rules and Manuals relating to Cooperative Department

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1.	Multi-Unit Cooperative Societies Act	1942	Govt. of India
2.	U. P. Warehouse Act	1958	State Government
3.	Cooperative Societies Act	1965	State Government
4.	U. P. Cooperative Societies Rules	1968	State Government
5.	Manual of Cooperative Societies Vol. I-III		State Government
6.	U. P. State Warehousing Corporation Rules		State Government

## Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Report on the Working of Cooperative Societies in U. P.	July-June	1904	Registrar, Co-operative Societies.

## 8.7. CANE DEVELOPMENT DEPARTMENT

8.7.1. The Department deals with the State policies in respect of the development, production and marketing of sugarcane in the reserved areas of sugar factories of the State.

8.7.2. The sugar industry grew slowly in this State until as a result of the recommendation of the Tariff Board it was brought on the protected list in 1931. The number of factories rose from 14 in 1931 to 65 in 1935. The common cane grower had, however, no benefit of any scientific or technical advice for improvement of cane varieties and other developmental activities, nor was any assistance available to him against capitalist exploitation or for regulated and methodical disposal of his product. This also recoiled on the Industry in the shape of scant availability of good quality sugar cane and regulated supplies. Government realised the immense complexities of the problem and the industrial complexion of the cane crop, which kept it distinctly apart from other agricultural crops, and consequently set up the new Department for development of sugarcane crop in the year 1935.

8.7.3. Prior to the creation of the Department the Government of India had enacted the Sugarcane Act, 1934, which intended to secure to the cane growers a fair price for their produce and empowered the local Government to fix minimum price (subject to the control of the Governor-General in Council) for purchase in any "controlled area" of sugarcane intended for crush in a sugar factory. This extended the administrative jurisdiction of the Cane Department over both the development of sugarcane and its purchase and supply to sugar factories.

8.7.4. For a year or so in the beginning a contributory scheme, known as "Cane Control Scheme" was run for technical guidance under the Director of Agriculture and that for the marketing of sugarcane under the guidance of the Registrar, Co-operative Societies. The responsibility for actual implementation in the field was that of the staff appointed under the Cane Development Department. This arrangement could not work satisfactorily as the problems were multifarious and their reference each time to the Director of Agriculture or the Registrar, Co-operative Societies, for policy guidance was a cumbersome and long drawn out process. Consequently, all connections of Cane Development Department were severed from the two parent departments and a whole time Cane Commissioner was appointed as a full-fledged head of the department in September, 1941, with powers of Registrar in respect of Cane Co-operative Societies organised for development and marketing of sugarcane. He was made responsible for the administration of the U.P. Sugar Factories Control Act, 1938, which was repealed when a fresh Act, viz., the U.P. Sugar Cane (Regulation of Supply and Purchase) Act was enacted in 1953.

8.7.5. The objectives of the Department include the introduction of improved sugarcane varieties and their cultivation, protection of

crop from degeneration and ravages of diseases and pests, improvement in yield per acre and sugar recovery, thus ensuring full feed of superior quality cane to factories from the minimum area consistent with demand—thereby releasing and making available more land for food crops, systematic regulated supply of cane to factories marketed on co-operative lines, safeguarding the interest of canegrowers and securing for them suitable facilities at purchasing centres, prompt payment of cane prices, realisation of government dues of sugar cane cess, which was later known as purchase tax, etc., and arbitration of disputes between cane-growers' Unions and sugar factories. The number of factories now existing in the State is 72.

8.7.6. Uttar Pradesh has four Co-operative Sugar Factories at Bazpur (Naini Tal), Bagpat (Meerut), Sarsawa (Saharanpur) and Majhola (Pilibhit). Licence of setting up such a factory at Aurai (Varanasi) has been obtained. Canegrowers' financial resources are limited and their holdings are small. Financial assistance on a large scale of Government and other financing agencies, such as Industrial Finance Corporation, for setting up co-operative factories becomes necessary in initial stages. These co-operative sugar factories bring together the small and medium canegrowers individually or through the Co-operative Cane Unions Federation to own and run their factories, eliminating completely the middle-man.

8.7.7. In the Secretariat, the work of the Cane Commissioner's Organization is handled in two departments—Cane Development is looked after by the Cane Development Department and sugar production and marketing by the Industries (C) Department. Both these Secretariat Departments have a common head of department, viz., the Cane Commissioner-cum-Sugar Commissioner, U.P., who carries out the policies of Government in these matters. With a view to having an integrated approach towards agricultural production and unified administrative set up at the district level, certain changes in the administrative structure, as indicated in Chapter 8.2 were made in April, 1964 when the Commissioner and Secretary, Department of Agricultural Production and Rural Development was also made in-charge of Cane Development Department. He has also the field status to enable him to guide and supervise the work of Cane Commissioner. The subjects dealt with in Cane Development Department attached to Co-operative (B) Department and in Industries (C) Department of the Secretariat are as follows:

#### *Cane Development Department*

1. Control of sugarcane diseases and schemes of cane development.
2. Crop-cutting experiments in sugarcane.
3. Cane Competitions, Sugarcane research institutions, Sugarcane Varieties Advisory Committee.
4. Cane Development Unions and Councils and their staff, Cane Societies.



5. Indian Central Sugarcane Committee and Indian Council of Agricultural Research with particular reference to sugarcane.
6. Construction of roads around sugar factory areas.
7. Sugarcane Sub-Committee of the Board of Agriculture.
8. Minor-irrigation works in cane growing areas.
9. Establishment of cane development staff.

*Industries (C) Department*

1. Sugar Policy and fixation of cane price. Sugar-cane Price Linking Advisory Committee.
2. Sugarcane Board.
3. Liaison Committee of Indian Sugar Mills Association.
4. U.P. Sugarcane Acts and Rules.
5. Sugar Commissioner and his staff. Sugarcane Inspectorate.
6. Joint-stock and co-operative sugar factories.
7. Sugarcane cess, Purchase Tax and Sugar Excise Fund.
8. Marketing of cane by Cane Unions, Realization of Cane price and commission dues.
9. Crushing licences for sugar factories.
10. Appointment of Chairmen of Cane Development Councils.
11. Gur, Rab and Khandsari sugar and Gur Price Support Scheme.
12. Licensing of Khandsari units in the reserved and non-reserved areas of sugar factories under the U.P. Khandsari Sugar Manufacturers Licensing Order, 1967.

CANE COMMISSIONER-CUM-SUGAR COMMISSIONER,  
UTTAR PRADESH, LUCKNOW

8.7.8. The Cane Commissioner-cum-Sugar Commissioner, in his capacity of a head of the department, exercises supervisory and administrative control over the entire organization at the headquarters and field levels. Apart from being the head of the Cane Development Department, the Cane Commissioner is also Sugar Commissioner in which capacity he regulates the licensing of power crushers, Bels and Centrifugal machines and acts as the chief administrative officer under the U.P. Sugarcane (Regulation of Supply and Purchase) Act, 1953, and shares the powers of the Registrar, Co-operative Societies, under the Co-operative Societies Act in respect of Cane Co-operative Societies with suitable powers in respect of his subordinate officers. As Cane-cum-Sugar Commissioner, he is empowered as licensing authority under the U.P. Khandsari Manufacturers Licensing Order, 1963, the U.P. Sugarcane (Purchase Tax) Act, 1961 and rules made thereunder and the U.P. Sugarcane Cess (Validation) Act, 1961. All Deputy and

Assistant Cane Commissioners, and all District Cane Officers also act as *ex-officio* Sugarcane Inspectors within their jurisdiction. The District Magistrates and the District Planning Officers, however, exercise control over the departmental development activities within the districts as also in the matter of collection of sugarcane cess, purchase tax, payment of cane price and commissions by factories, which, in cases of default, can be realised as arrears of land revenue.

8.7.9. The Cane Commissioner is assisted by the following functional Deputy Cane Commissioners, besides sectional officers at the headquarters:

#### I—*Deputy Cane Commissioner (Marketing)*

He controls cane marketing activities which include reservation and assignment of cane areas to sugar factories, crop cutting experiments, cane survey and random checking by the checking squad at the headquarters, bonding of cane for supply to factories, regulation of cane supplies, cane price payments, administration of the U.P. Sugar Cane (Regulation of Supply and Purchase) Act, 1963 and Cane Societies.

#### II—*Deputy Cane Commissioner (Development) and Deputy Cane Commissioner (Intensive Development)*

They are assisted by an Assistant Cane Commissioner (Development), two Cane Protection Officers and a Manure Officer at the headquarters and control cane development schemes, publicity and propaganda, seed, irrigation, fertilizers and manures, cane protection service, Cane Development Councils, establishment of demonstration blocks, Cane competitions, improvement of communications through District Cane Officers and zonal field staff, training of staff and cane growers at Muzaffarnagar, Shahjahanpur and Gorakhpur.

#### III—*Deputy Cane Commissioner (Co-operative Sugar Factories)*

He looks after organization, setting up and management of co-operative sugar factories in the State including their supervision, inspection and audit.

#### IV—*Deputy Cane Commissioner (Sugar and Khandsari)*

He is assisted by one Khandsari Officer at the headquarters and looks after general duties of Sugar Commissioner which relate to the licensing of Khandsari units and deals with the realization of purchase tax from sugar factories and other connected matters.

#### V—*Deputy Cane Commissioner (Establishment)*

He looks after the general establishment matters of the whole organization.

#### VI—*Accounts Officers*

There are three Accounts Officers at the headquarters who look to the proper maintenance of departmental accounts, financial control and preliminary audit of expenditure.

VII—*Audit Officer*

He controls the work of Cane Auditors and Audit Supervisors in respect of audit of Cane Societies, Cane Development Councils and Seed Stores.

VIII—*Statistical Officer*

He controls the work of statistical section and is responsible for the maintenance of statistics and all departmental activities, assessment and evaluation of progress under different items of cane development work including assessment of cane yield through crop cutting experiments and sugar production.

IX—*Assistant Cane Commissioner (General)*

He deals with miscellaneous matters and is the Honorary Secretary of the U.P. Co-operative Cane Unions Federation.

## FIELD OFFICES

8.7.10. The area of one or more revenue districts covered by the cane development programme under a District Cane Officer is termed as a "Cane District". There are three Regional Deputy Cane Commissioners functioning directly under the control of the Cane Commissioner, who supervise the working of District Cane Officers. The latter execute departmental policies and programme in co-ordination with the District Planning Officers and District Magistrates. They are assisted at local and field levels by Senior Cane Development Inspectors, Cane Development Inspectors, Cane Protection Inspectors, Assistant Cane Protection Inspectors, Supervisors and *Kamdars* (now also known as *Ganna Gram Sewaks*) who work under his administrative charge. Senior Cane Development Inspectors assist the District Cane Officers in the discharge of their day-to-day duties in major districts. One Cane Protection Inspector is posted in each district. His duties include keeping vigilant watch for saving the sugarcane crop from ravages of diseases and pests. Assistant Regional Publicity Officers have been posted one each at Saharanpur, Bareilly, Gonda and Gorakhpur to assist the District Cane Officers in sugarcane publicity work.

*Offices of Regional Deputy Cane Commissioners and District Cane Officers*

*Main districts with  
headquarters*

*Other districts within  
jurisdiction*

I—*Regional Deputy Cane Commissioner, Meerut*

1. Saharanpur
2. Muzaffarnagar
3. Meerut
4. Bulandshahr

.. Dehra Dun

*Main districts with  
headquarters**Other districts within  
jurisdiction*

5. Moradabad
6. Bijnor

*II—Regional Deputy Cane Commissioner, Lucknow*

7. Naini Tal (with headquarters  
at Haldwani)
8. Pilibhit
9. Rampur
10. Bareilly
11. Budaun .. Etah
12. Shahjahanpur
13. Lakhimpur
14. Sitapur
15. Hardoi
16. Barabanki .. Kanpur and Lucknow

*III—Regional Deputy Cane Commissioner, Gorakhpur*

17. Faizabad .. Jaunpur, Azamgarh  
and Sultanpur
18. Gonda .. Bahraich
19. Basti
20. Gorakhpur
21. Deoria (South)  
(with headquarters at Deoria)
22. Deoria (North) .. Ballia  
(with headquarters at  
Padrauna, Distt. Ballia)
23. Varanasi

8.7.11. *Zonal Organization.* A sugarcane producing area, whose produce is reserved for supply to a sugar factory, is called a Zone. In each Zone there are two or more Cane Development Inspectors for looking after the development and marketing work and an Assistant Cane Protection Inspector. Since all new cane varieties tend to get deteriorated within a short time, seed replacement has to be carried out regularly at short intervals. The development programme includes sowing one-tenth of area under cane every year with healthy and improved seed, maintenance of nurseries for seed multiplication and distribution of seed. Survey of sugarcane crop is done by *Kamdars* plot-wise and variety-wise and checked by the supervisory staff both at the field level as well as that attached to the office of the Cane Commissioner, for estimating the produce for crush in a fac-

tory. Quantities of cane acceptable from each individual grower are bonded and additional assignments of areas are done under the U.P. Sugar Cane (Regulation of Supply and Purchase) Act, 1953 to ensure full feed to the factories. Cane purchasing centres are established at suitable places, under the U.P. Sugar Cane Supply and Purchase Order, 1954, for the convenience of growers. It is the responsibility of the factories to purchase cane at such centres and arrange transport. The Co-operative Cane Development and Marketing Unions keep watch over purchase and supply operations and regulate the work through a roster system.

8.7.12. A Sugarcane Development Council constituted under the U.P. Sugarcane (Regulation of Supply and Purchase) Rules, 1954, is established for each factory for looking after the development side exclusively in collaboration with the Co-operative Cane Development and Marketing Union functioning in the reserved areas of sugar factories. It prepares development plans for its area and gets them implemented through their staff and that provided by the Government. One of the Inspectors is placed incharge of the Cane Union and acts as its Honorary Secretary, while the other functions as Joint Secretary of local Cane Development Council. A few big Unions have Secretaries who are employees of the Union concerned. The ministerial staff in the Union offices is provided by the Unions. Some staff assistance is also provided to Development Councils by the Government. Most of the Councils have supplemented the staff from their own funds. Inferior staff in all cases is paid by the Unions or the Councils themselves. Auditors posted at the headquarters of all big Cane Unions conduct audit of their accounts as also those of Cane Development Councils. Their work is supervised by the Audit Supervisors posted at district headquarters.

8.7.13. Supervision over weighment of cane at purchasing centres and of payment for the cane purchased by factories as well as over the operation of the U.P. Sugar Cane (Regulation of Supply and Purchase) Act, 1953, and rules is exercised by Sugarcane Inspectors who are posted, with their headquarters and jurisdictions, as indicated below:

#### *Jurisdiction*

- |  |   |
|--|---|
| 1. Sugarcane Inspector,<br>Meerut.     | Meerut, Bulandshahr, Agra, Aligarh, Mainpuri, Etawah and Mathura Districts. |
| 2. Sugarcane Inspector,<br>Saharanpur. | Saharanpur, Dehra Dun and Muzaffarnagar Districts.                          |
| 3. Sugarcane Inspector,<br>Moradabad.  | Moradabad, Nainital, Bijnor and Rampur Districts.                           |
| 4. Sugarcane Inspector,<br>Bareilly.   | Bareilly, Budaun, Pilibhit, Etah, Farukhabad and Shahjahanpur Districts.    |

*Jurisdiction*

- |    |                                    |  |
|----|------------------------------------|--|
| 5. | Sugarcane Inspector,<br>Sitapur.   | Sitapur, Hardoi, Bara Banki,<br>Lakhimpur-Kheri, Lucknow,<br>Kanpur, Unnao and Banda<br>Districts. |
| 6. | Sugarcane Inspector,<br>Gonda.     | Gonda, Faizabad, Jaunpur, Bahra-<br>ich and Sultanpur Districts.                                   |
| 7. | Sugarcane Inspector,<br>Gorakhpur. | Gorakhpur and Basti Districts.   |
| 8. | Sugarcane Inspector,<br>Deoria.    | Deoria, Azamgarh, Ballia, Vara-<br>nasi and Ghazipur Districts.                                    |

Sugarcane Inspectors have also been designated, with effect from October 13, 1966, as *ex-officio* Assistant Sugar Commissioners in respect of their local limits. They take action against factories for default of the provisions of the said Act and rules through the Cane Commissioner and the District Magistrates concerned. They are also designated as Khandsari Officers and are assisted by Khandsari Inspectors in charge of various sub-circles. Honorary Sugarcane Inspectors, both official and non-official, are also sometimes appointed for constant and effective supervision and checking of weighment and payment of sugarcane price. Payments are either made by the Cane Unions or on their behalf by the factories. Commission<sup>19</sup> is paid by the factories to these Unions for the quantity purchased for meeting the expenditure on their staff for marketing arrangements and to the Development Councils for development of cane in their areas. Sugar factories also pay a purchase tax<sup>20</sup> to Government which is a substantial source of revenue to the State Government.

8.7.14. *The U.P. Co-operative Cane Unions Federation.* The Federation started working from October, 1949 with the objects of safeguarding the general interest of the Cane Unions and cane-growers of the State and organizing efficient marketing of cane on co-operative lines, establishing healthy and cordial relations between the cane unions and sugar factories; guiding, assisting, supervising, controlling and co-ordinating the working of cane unions affiliated to it; undertaking agricultural development and making wholesale arrangement for supply of agricultural and other requisites for the Unions; serving as representative agency of cane unions and carrying out various schemes formulated by Government for cane development; establishing and maintaining Cane Unions Service on a State basis with a view to introducing uniformity, security and efficiency; taking necessary steps for recruitment, training and control of various ranks of the

19. It was at the rate of 13 Paise per quintal, raised to 15 Paise from August 1, 1966, to be divided between an Union and a Council.

20. At the rate of 67 Paise per quintal with a remission of 16 Paise per quintal.



Cane Union Service and raising funds according to the bye-laws of the Federation and administering them. The functions of the Federation fall under two sub-heads—(i) Service functions, such as the supply of fertilizers through Cane Unions to members mostly on credit recoverable from the price of cane supplied to sugar factories through Cane Unions concerned, and (ii) Promotional work, such as subsidizing Cane Unions, who do not have sufficient funds of their own, for construction of manure godowns, etc. The Federation has its own printing press which has been functioning since 1951 on no-profit-no-loss basis. The Federation has invested its funds in Government securities and in co-operative sugar factories towards share capital.

8.7.15. *Sugarcane Board*. This Board is constituted by the State Government under Section 3 of the U.P. Sugar Cane (Regulation of Supply and Purchase) Act, 1953, for a term of two years with the Minister Incharge of Industries as its *ex-officio* Chairman and the following members:

- (a) Minister Incharge of Agriculture.
- (b) Twenty members appointed by the State Government of whom five are representatives of Sugar Factories, five representatives of Cane Growers and the Cane Growers Co-operative Societies and five members representative of Gur and Khandsari Industry. The remainder are persons possessing knowledge in sugarcane or otherwise interested in the development of sugarcane and its products.
- (c) Cane Commissioner, U.P. or his representative as *ex-officio* member.
- (d) The Secretary to Government in the Industries Department or such other officer as may be nominated by the State Government, who is *ex-officio* Secretary of the Board.

It advises the State Government on the following matters:—

- (i) Matters pertaining to regulation of supply and purchase of cane for sugar factories.
- (ii) The varieties of cane which are suitable or unsuitable for use in sugar factories.
- (iii) Maintenance of healthy relations between occupiers or managers of factories, cane growers, cane growers co-operative societies, Cane Development Councils and purchasing agents, and
- (iv) Such other matters as may be presented.

The meeting of the Board is held once in a year jointly with State Sugarcane Board of Bihar. The venue of the meeting is fixed in U.P. and Bihar alternately.

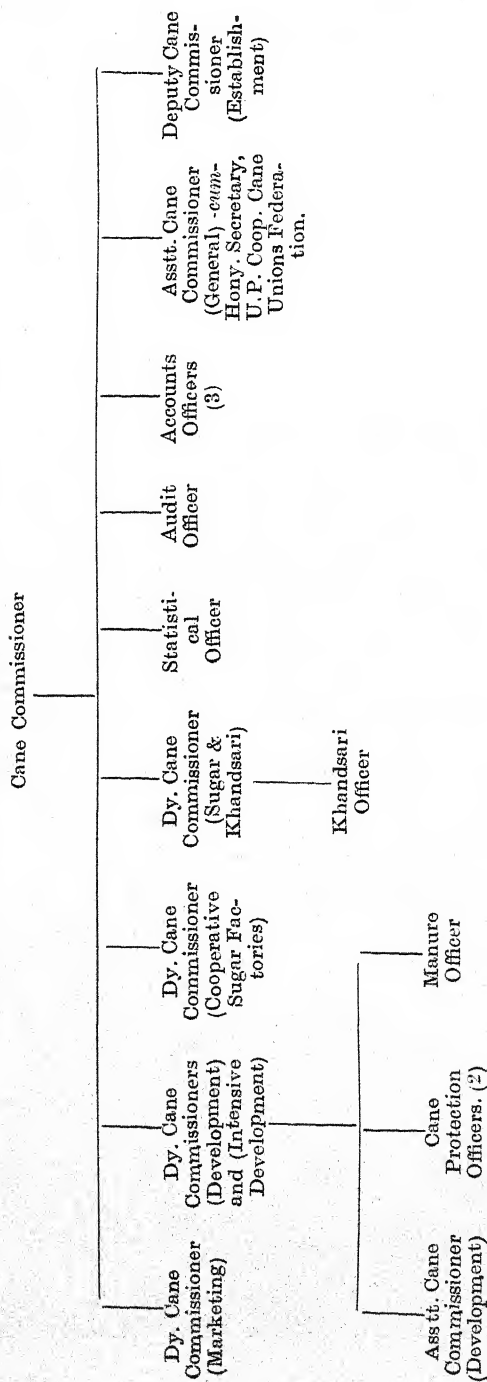
**Acts, Rules, Regulations, Manuals, etc. pertaining to Cane  
Development Department.**

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<b>Acts</b>			
1.	U.P. Sugarcane (Regulation of Supply and Purchase) Act	1953	State Government
2.	U.P. Sugar Cess (Validation) Act	1961	"
3.	U.P. Sugarcane (Purchase Tax) Act	1961	"
4.	U.P. Sugar & Power Alcohol Industries Labour Welfare & Development Fund Act	1950	"
5.	U.P. Sugar & Power Alcohol Industries Labour Welfare and Development Fund Act	1951	"
6.	The Industries (Development and Regulation) Act	1951	Govt. of India
7.	Sugar (Regulation of Production) Act and Rules	1961	"
8.	Sugar Exports Promotion Act	1956	"
<b>Rules and Orders</b>			
1.	U.P. Sugar Factories Control Rules	1938	State Government
2.	U.P. Sugarcane (Regulation of Supply and Purchase) Rules	1954	"
3.	U.P. Sugarcane (Regulation of Supply and Purchase) Order	1954	"
4.	Cane Development Council Rules	1954	"
5.	U.P. Sugarcane (Purchase Tax) Rules	1961	"
6.	U.P. Khandsari Sugar Manufacturers Licensing Order	1967	"
7.	Sugar (Control) Order	1966	Govt. of India
8.	Sugarcane (Control) Order	1966	"

**Annual Administration Report**

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Report of the Working of the Cane Development Department.	July-June	1944	Cane Development Department

Organization Chart of the Office of the Cane Commissioner, U. P. Lucknow.



## 8.8—INDUSTRIES DEPARTMENT

8.8.1. The Industries Department was created in the year 1910 to deal primarily with marketing of industrial products, dissemination of technical 'know-how', financial aid to industries and development of technical and industrial education in the State. It was also assigned in 1921 the work of arranging purchases of stores required for the use of Government departments. This Department also used to deal with matters relating to industrial labour. A separate wing for prevention and settlement of industrial disputes and labour welfare was subsequently set up in 1937 in this Department. It also handled during the last world war, the work relating to War Production and Supplies. With the progressive increase in the number of industries and also in labour problems, the Department was subsequently bifurcated in 1945 into two separate departments, viz. Industries Department and Labour Department, but both continued to remain with the same Secretary to Government. This position continued till 1959, when a separate post of Labour Secretary was created. On the setting up of the organization of Textile Commissioner by the Government of India, a parallel organization of the Provincial Textile Controller was set up in this State in 1945 and added to this Department. Similarly, the organization of the Sugar Commissioner, U.P., responsible for the regulation of sugar industry in the State, was added to the Department in 1952.

8.8.2. After independence, the need for rapid industrialization in all sectors was realised with greater force than before as the only means for rebuilding economic and social structure of the country. Formerly, attention was being given mainly to small scale industries and village industries. Increasing emphasis was afterwards laid on heavy industries and on the expansion of other industrial activities. It was decided in 1948 to set up a Government Cement Factory at Churk in district Mirzapur. The project for a new Cement Factory at Dalla is now under completion. A Precision Instruments Factory was set up in 1950 at Lucknow. Government also took over the Vibhuti Glass Factory, Varanasi, on lease in 1960 for a period of twenty years.

8.8.3. The introduction of the first five year plan in 1951 greatly increased the activities of the Department in all directions and loans and grants were made available to industrialists in larger amounts. The Directorate of Fruit Utilization, set up for stepping up horticultural production, was added to the Department in 1953, but it was transferred to Agriculture Department in December, 1964. Detailed investigations of the mineral resources of the State and control on mining operations were also taken up with the setting up of the Directorate of Geology and Mining in 1955.

8.8.4. The second five year plan taken up in 1956 added to the Department the organization of industrial co-operatives and industrial estates. Schemes financed by the Khadi and Village Industries Commission of the Government of India were also implemented by the

Department. District Industries Officers were posted in almost all the districts by the end of 1956 for handling most of the problems of industrial development locally. Greater emphasis was given from 1958 to rapid expansion of large and medium industries in the State with the setting up of a separate Heavy Industries Section in the Directorate of Industries. The organization of the Directorate was formerly mostly centralized at the headquarters where the officers used to co-ordinate the activities of different schemes on functional pattern for the field as well. In 1958, however, the working of the Directorate was decentralised and Zones and Sub-Zones were created for each revenue Division to supervise and control the departmental activities of a particular Division.

8.8.5. With the beginning of the third five year plan in 1961, efforts were made to provide greater financial accommodation to industrialists. Training facilities were also expanded and the subject of technical education, which lately was the responsibility of the Directorate of Industries, was placed under a separate Directorate of Technical Education during that year. Subsequently, in view of the importance of technical education, a separate Department of Technical Education was also set up in January, 1965 at the headquarters of the Government.

8.8.6. The main attempt of the Department is to make it possible for small units, generally run by individuals and co-operative societies, to realise their maximum production potential of quality goods, opening thereby gainful avenues of income and employment. The Department affords help to various industrial units in arranging raw materials of required specifications in adequate quantities at comparative rates and for the marketing of their produce at home and abroad and also helps in the solution of various technical problems of industrial units.

8.8.7. The Secretariat staff comprises of:

Secretary	..	1
Special Secretary	..	1
Joint Secretaries	..	2
Deputy Secretaries	..	3
Assistant Secretary	..	1
Officer on Special Duty (Gold Control)	..	1
Superintendents	..	6

8.8.8. The subjects dealt with in various sections of the Department are broadly as below:—

#### *Industries (A) Department*

Establishment matters of the Directorate of Industries, Industrial Estates. Handicraft Schemes, Sericulture, Village Industries, allotment of raw materials to small scale and cottage industries, Standing Committees of Legislature on Industries, Khadi and Village Industries

Board and work relating to Iron and Steel.<sup>21</sup>

### *Industries (B) Department*

Government Cement Factories at Churk and Dulla in district Mirzapur, Government Precision Instruments Factory and Government Optical Factory at Lucknow; Vibhuti Glass Factory, Varanasi; U.P. Financial Corporation; Rampur Industries; Administration of Textile Control Orders, Provincial Textile Controller, U.P.; and establishment matters of Industries Secretary's Branch.

### *Industries (C) Department*

State policy regarding supply of liveries to inferior government servants and of cycles for Government work and infringement of trade marks, patents and designs.

The subjects of Marketing of cane, cane price, *gur* development and Sugar Industry dealt with here have already been taken up earlier in Section 8.7 of this Chapter along with the Cane Development Department. Similarly, the subjects of State Excise Duties and development of molasses and power alcohol industries, dealt with here have been taken up earlier in Chapter 7.4.

### *Industries (D) Department*

Government Presses, Printing and Stationery, loans for cottage and small-scale industries, schemes for rehabilitation of displaced goldsmiths, loans and grants to goldsmiths for industrial and other purposes and enforcement of Gold Control Act, Order and Rules.

### *Industries (E) Department*

Handloom and Powerloom; U.P. Small Industries Corporation; Quality Marking Scheme, Leather, Wood Seasoning, Pottery Development, Government U.P. Handicrafts, other small industries, Glass Technology, schemes for eastern districts, Commercial Intelligence, Stores Purchase and U.P. Export Corporation.

### *Industries (F) Department*

Heavy Industries, Establishment of Factories, Licences under the Industries (Development and Regulation) Act, facilities and loans to heavy industries, Industrial Areas, U.P. Large Industries Advisory Board, U.P. State Industrial Corporation, Import Trade Control, Directorate of Geology and Mining, U.P.; Mining and Minerals Development, Industrial Plans, National Productivity and Local Productivity Councils, Central Sector Projects and U.P. State Textile Corporation.

8.8.9. *Gold Control.* The Gold Control Rules were promulgated as Part XII-A of the Defence of India Rules, 1962 with effect from January 11, 1963. They prohibited manufacture and sale of articles of gold of more than 14 carat purity. In September, 1963, the rules

21. The subject of Iron and Steel was transferred here from Food and Civil Supplies (B-2) Department on August 1, 1969, while the book was in the press.



were amended to allow manufacture of ornaments of more than 14 carat purity from old ornaments. This concession was for self-employed goldsmiths who had to obtain a certificate for the purpose. The Gold Control Rules were replaced by the Gold Control Act, 1968. The immediate effect of Gold Control was to throw those engaged in goldsmithy out of employment or to put them to financial hardship. It was, therefore, necessary to rehabilitate the affected persons and the Union Government asked the State Government to take relief measures for the goldsmiths affected by Gold Control. Assistance was given in the form of educational and technical training facilities as for backward classes, alternative employment by relaxing the qualifications normally desired for the purposes and grant of loans for settlement in industries and other productive purposes. The work is carried out under the supervision of an Officer on Special Duty (Gold Control) who implements the policy under the directions of the Gold Control Administrator, Government of India. The work of Certification of self-employed goldsmiths, which was initially handled by District Magistrates, is now done by the Central Excise Department of the Government of India. The modification in Gold Control Order made in 1966 envisages withdrawal of the 14 carat restriction on the manufacture of ornaments, declaration of ornaments and articles of gold, if held in excess of specified limits; Government control on gold refining and manufacture of primary gold only in the form of standard gold bars of prescribed specifications, prohibition on private possession of primary gold with a provision for disposal of legally held primary gold, *i.e.*, the gold which had been included in the declaration filed under the Gold Control Order or which was held in quantities exempt from such declaration, either by sale to licensed dealers or refiners or by conversion into ornaments. The Government also reaffirmed its long-term policy to wean people away from the gold habit, and for this purpose to continue to provide assistance for the various relief measures, provided they do not revert to their profession.

8.8.10. The main authorities and agencies of the Government for carrying out their policies in respect of industries and allied matters are the Director of Industries, the Sugar Commissioner (also Cane Commissioner) already dealt with in Section 8.7 of this Chapter; Provincial Textile Controller; Government Cement Factories, Churk and Dulla (Mirzapur); Government Precision Instruments and Optical Instruments Factories at Lucknow; Vibhuti Glass Factory, Varanasi; Directorate of Geology and Mining, U.P. and Superintendent, Printing and Stationary, U.P. The latest addition is the Provincial Iron & Steel Controller<sup>22</sup>, U.P., Kanpur, whose office is also held by the Director of Industries. A Principal Liaison Officer of the State Government also functions with headquarters at Calcutta in

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22. With the transfer of work relating to Iron and Steel from Food and Civil Supplies Department to Industries Department with effect from August 1, 1969, while the book was in the press, the establishment of the Provincial Iron and Steel Controller (details about which are available in Chapter 8.10 on Food and Civil Supplies Department) was also transferred to the control of Industries Department.

order to maintain liaison with the Joint Plant Committee<sup>23</sup> for the supply of iron and steel to industrial units of this State. He also looks to the quick movement of coal to Uttar Pradesh for industrial purposes.

## 1. DIRECTORATE OF INDUSTRIES, U.P.

8.8.11. The Director of Industries, U.P., Kanpur, is the executive head of the Organization and is responsible for the industrial development of the State both in the large and medium scale industries' and village and small industries' sectors. He is assisted at the headquarters by three Additional Directors of Industries and six Joint Directors entrusted with specific branches and sections of activities and programmes, a number of Industrial Advisers for Chemical Engineering, Electrical and Mechanical Engineering, Ceramics, etc., for tendering advice and preparing projects and feasibility reports; one Deputy Registrar, Industrial Co-operatives; seven Deputy Directors, five Development Officers and one Central Controller, Quality Marking Scheme. These officers are in turn assisted by a number of officers of the rank of Assistant Directors and Divisional Superintendents for dealing with routine matters and follow-up of various industrial programmes and schemes in the following sections of the headquarters office. The functions of all these officers relate to planning, co-ordination and ensuring the fullest achievement of both physical and financial targets set out under a scheme. The distribution of work at the headquarters amongst senior officers is functional. The Additional Directors of Industries are mainly responsible for the promotion of large and medium scale industries including State Undertakings, and supervisory control on the Stores Purchase Section. They also attend to the promotion and development of Small Scale Industries, Industrial Estates and Industrial Areas, Raw Materials, Planning and Research, Handloom, Powerloom and Sericulture. Joint Directors, amongst themselves, look to Village Industries Programmes, Training and Extension Programmes, Rural Industrialization Programme and industrial development in the eastern districts of the State; disbursement of loans and grants and its recovery. Export Promotion work, Handicrafts, Quality Marking Schemes, Publicity and Glass and Ceramics development schemes. One of the Deputy Directors is in charge of establishment matters. For exercising proper supervision and control over the expenditure, there is a

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23. This Committee, constituted at Calcutta by the three main producers of iron and steel, *viz.*, Messrs Tata Iron and Steel Co., Ltd., Messrs Indian Iron and Steel Co. Ltd., and Messrs Hindustan Steels Ltd., functions with the Iron and Steel Controller, Government of India, at Calcutta as its Chairman, with one Executive Secretary who is an officer of the Government of India. The Committee helps the producers to plan indents of various consumers and allots quotas during de-control periods to different States to help the consumers. Bulk quotas for scarce categories of iron and steel are processed through the Committee by the State owned U.P. Small Industries Corporation Ltd., Kanpur.

Financial Controller of Industries who is assisted by a Deputy Financial Controller and other supporting staff.

(i) *Heavy Industries Section.* It looks after the development of heavy industries in the private sector by giving technical and financial assistance and in the procurement of raw materials and machinery; registration and licensing of industrial undertakings, and the working and expansion of the Government Precision Instruments Factory at Lucknow. It administers important matters relating to large scale units set up at Rampur in which the State Government holds financial interest and other private units where Government is a shareholder.

(ii) *Appointment Section.* It deals with establishment matters concerning gazetted and non-gazetted staff of the Directorate.

(iii) *Industrial Estates Section.* The establishment of Industrial Estates in the State and the problems of the units located in them are the concern of this Section.

(iv) *Extension Section.* This Section is concerned with the Training-cum-Extension Scheme for familiarising rural artisans with modern and scientific techniques of production, marketing and sales.

(v) *Small Scale Industries Section.* The Section is concerned with the development of small scale industries for which no licensing is necessary under the Industries (Development and Regulation) Act, 1951. Supply of machines on Hire-Purchase basis is arranged through the National Small Industries Corporation.

(vi) *Industrial Co-operatives Section.* It supervises the working of the industrial co-operative societies in the State and provides them with technical 'know-how' and other facilities such as financial assistance, procurement of raw material, marketing and publicity for their products through various scheme officers stationed at the headquarters and in the field. The Director of Industries and the Deputy Registrar who is incharge of the Section, are vested with powers of Registrar, Co-operative Societies, U.P., under the Co-operative Societies Act in so far as the industrial co-operatives are concerned.

(vii) *Leather and Tanning Section.* A Development Officer (Leather) assisted by an Assistant Director of Industries (Leather) at the headquarters, besides one Research Chemist, two Divisional Superintendents of Industries in the field, look after the organization of tanning centres by giving them financial assistance for construction of tannery buildings and purchase of machinery. A Research and Testing Laboratory is also maintained under the Research Chemist. The Section controls the Government Pilot Project for Footwear at Agra.

(viii) *Handloom and Powerloom Sections.* The Handloom Section plans and co-ordinates the development of handloom industry under the general principles formulated by the All India Handloom Board. The Powerloom Section controls yarn preparatory and processing factories which supply sized beams to handloom weavers' societies.

(ix) *Handicrafts Section.* It promotes revival of traditional handicraft industries which had been languishing and were practically on the verge of extinction due to the lack of facilities and patronage, important among which are Chikan Embroidery Scheme at Lucknow, Tarkashi, Ivory, Lacquer and Ebony crafts. The Section runs a Central Design Centre and U.P. Handicrafts Emporium at Lucknow. It receives guidance in matters related to handicraft industries from the All India Handicrafts Board.

(x) *Sericulture and Ericulture Section.* The Section is concerned with the development of Sericulture including tussar and eri silk under a Deputy Director of Industries (Sericulture) at Dehradun.

(xi) *Loans and Grants Section.* This Section deals with the provision of financial assistance to organised institutions, co-operative societies and individuals for development of small scale and cottage industries, who are not able to carry on the work for want of adequate funds.

(xii) *Quality Marking Section.* The function of the Section is to standardise the quality of various Cottage, Small Scale and Handicraft Industries products, opening Inspection Depots manned by trained and experienced technical staff as well as providing the Inspection Depots with necessary testing equipment and apparatus. Specific standards and specifications are laid down for different products, and manufacturers, who are induced to register themselves with these Inspection Depots, are prevailed upon to produce goods conforming to these specifications, which are stamped with a registered mark 'Q'.

(xiii) *Aids to Industries Section.* The Section is concerned with the procurement and distribution of controlled commodities to various industries. The Section issues Essentiality Certificates for import of raw materials and machinery in favour of users.

(xiv) *Stores Purchase Section.* Its primary function is to arrange the supply of stores required by various State Government departments. It implements the Stores Purchase Policy of the State Government with regard to the development of industries in particular. Ready markets are provided to small scale and cottage industries by purchasing their quality products, even after allowing them certain price preference. For items of common requirements of various departments, the Section finalises 'Rate Contracts' for a period of one year, during which Government departments can procure their requirements at approved rates directly from approved firms. For specific requirements of a particular indenting office, the Section arranges quantity contracts.

(xv) *Commercial Intelligence Section.* With a Deputy Director of Industries, the Section co-ordinates all development schemes of the Directorate. It acts as a major source of industrial and commercial information. It looks to the affairs connected with the U.P. Export Corporation and maintains an Industrial and Commercial Museum and a reference Library. The Defence Production Cell of the Section

finds out ways and means for securing sizeable manufacture of defence requirements. It also deals with Plan, Statistics, Surveys, Rural Industrial Projects and other matters relating to choice of careers and guidance for starting industries.

(xvi) *Finance and Accounts Section.* It exercises vigilance over proper utilization of funds and looks after the entire budget and expenditure of the Directorate and inspection of its accounts through Inspectors of Accounts.

(xvii) *Glass Technology Section.* Its primary function is to develop glass, pottery, enamel and ceramic industries of the State. It has a Laboratory attached to it, serving the purpose of a Central Laboratory for the glass and ceramic industries of the State.

8.8.12. The primary responsibility for development of industries, specially small and medium scale industries, falls on the State Government. The Directorate of Industries acts as an agency of Government for providing credit, power, land, training, administration, extension, allocation of materials, and other facilities. This responsibility can be discharged properly only when the machinery is so geared that the entrepreneurs receive friendly and fair treatment from the governmental agencies at all levels and proposals are looked into and disposed of quickly. Formerly, the Directorate was primarily meant for development of cottage industries and running of a few training institutions. With the rapid development of industries the need has arisen that sound technical guidance and help in the shape of preparation of schemes, and reports on preliminary survey, investment opportunity, and technical feasibility, is extended and other services and implant advice are made available to entrepreneurs. The orientation has thus now been completely changed. The Directorate now has to play a major role in industrial policy formulation, planning and research for industries, extension and advisory services. In view of the changed needs and requirements, a complete re-organization of the Industries Directorate is under way and the development of Khadi and village industries is being done through an autonomous Board independent of the Directorate of Industries. Development of Industries is done by promotional programmes in the field where Extension Officers with adequate technical skills are normally posted. Industrial development is now being done through development of focal points of growth; area development programmes are being undertaken and Area Development Officers have been posted who are proposed to be vested with full powers regarding requirements of industrialists in respect of loans, materials, land, power, technical assistance, etc. In the Directorate of Industries, the promotion and development of industries would be looked after by a proper Development Wing which would formulate schemes, locate possible fields of industrial development, process technical data and give advice to entrepreneurs. The segmentation is proposed to be on functional basis so that requirements are dealt with industrywise and programme tackled under major industrial groups. The Stores Purchase Organization in the Directorate of Industries is also proposed to be expanded with an



Inspection Wing and Planning Cell so that while the requirement of the State are purchased through a Central Organization, development of industries is also made side by side. An Agro-Industrial Corporation has already been set up under the Agriculture Department to look after the needs of agro-industries which go to increase agricultural productivity. State Directorate of Industries also propose to play a vital part in the promotion of public sector enterprises or joint enterprises with private sector in which Government either directly or through the Corporations participate in the promotion of industrial ventures. The proposed re-organization is expected to give a proper orientation to the working of the Directorate of Industries which will make its functioning developmental and extension oriented and the regulatory functions will be relegated to the background.

8.8.13. *Regional Offices and Field Organization.* For better supervision and control and effective implementation of various schemes, the State was divided in 1958 into the following five zones, each with a sub-zone, coterminus with a Revenue Division.

	<i>Headquarters of Zonal Office</i>	<i>Headquarters of Sub-Zonal Office</i>
(a) Central Zone	Lucknow	Faizabad
(b) Eastern Zone	Varanasi	Gorakhpur
(c) Southern Zone	Allahabad	Jhansi
(d) Northern Zone	Bareilly	Naini Tal
(e) Western Zone	Meerut	Agra

Each Zone was under the charge of a Zonal Officer drawn from the IAS or the State Civil Service who was designated as Joint or Deputy Director of Industries. Each sub-zone had an officer of the rank of an Assistant Director of Industries. In 1966, it was decided that for better co-ordination, the work of Joint or Deputy Director of Industries should be entrusted to Deputy Development Commissioners at Divisional Headquarters. Accordingly, the posts of Joint Director of Industries of Central Zone, Southern Zone and Northern Zone were combined with the posts of Deputy Development Commissioners. Changes in other zones were to be made gradually. In Jhansi Sub-zone, the post of Assistant Director of Industries was abolished and the Deputy Development Commissioner, Jhansi was designated Joint Director of Industries in addition to his own duties. Earlier in March, 1965, in order to accelerate industrial development of the eastern districts of the State, a new Industrial Zone comprising the districts of Jaunpur, Azamgarh, Ghazipur and Deoria had been carved out of the Eastern Zone with a Joint/Deputy Director of Industries at Azamgarh, but it was soon afterwards abolished in August, 1965, and the District Magistrates of these districts were designated as Joint Directors of Industries. It was for these reasons that combining the posts of Eastern Zone with those of Divisional Deputy Development Commissioners was postponed for some time. The position was, however, re-



viewed and in the interest of accelerated industrialization of the State, the institution of zonal and sub-zonal industries officers, as existed prior to 1966, was revived on March 14, 1969 by having zonal Joint or Deputy Directors of Industries, except that for each sub-zone, there is now a Sub-Zonal Industries Officer, who too is an officer of the rank of Assistant Director of Industries. Consequent upon the posting of a whole time Sub-Zonal Industries Officer at Gorakhpur, the powers of Joint Director of Industries delegated to the District Magistrates of Jaunpur, Azamgarh, Ghazipur and Deoria in 1965, were also withdrawn on July 22, 1969. There is an Assistant Financial Controller of Industries for each Zone at Zonal Headquarters. The officers are primarily responsible for the implementation of various schemes in their respective zones and sub-zones, keeping effective supervision over the work of the District Industries Officers in the Zone or Sub-Zone, resolving local difficulties on the spot, and maintaining close contacts and liaison with the Divisional Commissioners and District Officers with a view to ensuring proper co-ordination of the developmental activities at district level. Their functions consist of administrative and financial control over the schemes in the zone and sub-zone, general supervision on the work of District Industries Officers, convening of periodical meetings of industrialists and removal of their difficulties, inspection of Industrial Co-operative Societies and co-ordination of departmental activities with other departments. The Inspectors of Accounts attached to these zonal and sub-zonal offices conduct periodical inspections of different industrial centres and institutions under their Circles. The other officers engaged at the headquarters of or in the field in each zone and sub-zone for general supervision of numerous departmental schemes are mentioned below:

#### Central Zone : Lucknow & Faizabad Divisions

	<i>Central Zone, Lucknow</i>	<i>Central Sub-Zone, Faizabad</i>
Headquarters' Staff at the Zone or Sub-Zone.	Assistant Financial Controller of Industries, Central Zone, Lucknow. Divisional Superintendent of Industries, Lucknow.	Sub-Zonal Industries Officer, Faizabad.
Field Staff	District Industries Officers, Lucknow, Sitapur, Rae-Bareilly, Unnao, Hardoi and Kheri  Assistant Director of Industries, Handloom, Lucknow.	Assistant Director of Industries (Hand Loom), Tanda, district Faizabad.  District Industries Officer, Faizabad, Gonda, Pratapgarh, Sultanpur, Bahraich and Bara Banki.

#### Eastern Zone : Varanasi & Gorakhpur Divisions

	<i>Eastern Zone, Varanasi</i>	<i>Eastern Sub-Zone, Gorakhpur.</i>
Headquarters' Staff at the Zone or Sub-Zone.	Assistant Financial Controller of Industries, Eastern Zone, Varanasi. Divisional Superintendent of Industries, Varanasi.	Sub-Zonal Industries Officer, Gorakhpur.

Field Staff	District Industries Officers, Varanasi, Mirzapur, Jaunpur, Ghazipur and Ballia.	Assistant Directors of Industries, Handloom, Gorakhpur & Mau (District Azamgarh).
	Project Officer, Ghazipur. Superintendent, Workshops (Brassware), Mirzapur.	District Industries Officers, Gorakhpur, Basti, Azamgarh & Deoria.
	Engineer, Small Engineering Industries, Kashi Vidyapith, Varanasi.	Manager, Government Dyeing, Bleaching & Finishing Factory, Mau, District Azamgarh.
	Design Extension Officer, Copperwares, Varanasi.	
	Assistant Development Officer (Export) Varanasi.	

## Southern Zone : Allahabad &amp; Jhansi Divisions.

	<i>Southern Zone, Allahabad</i>	<i>Southern Sub-Zone, Jhansi</i>
Headquarters' Staff at the Zone or Sub-Zone.	Assistant Financial Controller of Industries, Southern Zone, Allahabad. Divisional Superintendent of Industries, Allahabad.	Sub-Zonal Industries Officer, Jhansi.
Field Staff	Kiln Engineer, Wood Seasoning Plant, Allahabad.  Assistant Director of Industries, Handloom, Etawah and Kanpur. District Industries Officer, Allahabad, Kanpur, Farrukhabad, Etawah and Fatehpur. Superintendent, Plastic Goods, Etawah. Manager, Sand Washing Plant Shankergarh, Distt. Allahabad. Design Extension Officer, Prints, Farrukhabad. Metallurgist (Cutlery), Kaimganj, Distt. Farrukhabad. Area Development Officer, Kanpur.	District Industries Officers, Jhansi, Jalaun, Banda and Hamirpur. Assistant Director of Industries, Handloom, Mauranipur, district Jhansi. Project Officer, Mauranipur. Planning-cum-Survey Officer, Mauranipur.

## Northern Zone : Bareilly, Garhwal &amp; Kumaun Divisions

	<i>Northern Zone, Bareilly</i>	<i>Northern Sub-Zone, Naini Tal</i>
Headquarters' staff at the Zone or Sub-Zone.	Assistant Financial Controller of Industries, Northern Zone, Bareilly.  Divisional Superintendent of Industries, Bareilly.	Sub-Zonal Industries Officer, Naini Tal.

Field Staff	District Industries Officers. Chamoli, Pithoragarh & Uttarkashi	Distt. Industries Officers, Bareilly, Rampur, Shahjahanpur, Moradabad, Pilibhit, Bijnor, and Badaun.	Project Officer, Rani. khet.
		Asst. Director of Industries, Handloom, Bareilly.	Planning-cum-Survey Officer, Tari Khet.
		Asstt. Development Officer(Exports), Bareilly.	Manager, (Shawls), Pauri.
		Kiln Engineer, Wood Seasoning Plant, Bareilly.	District Industries Officers, Naini Tal, Almora, Pauri-Garhwal and Tehri-Garhwal.
		Workshops Superintendent (Electroplating), Moradabad.	
		Metallurgist (Cutlery), Rampur.	
		Superintendent, Sports Goods, Bareilly.	
		Superintendent, Development (Non-Ferrous Metals) Moradabad.	
		Designer (Non-ferrous metals), Moradabad,	

## Western Zone : Meerut &amp; Agra Divisions

	<i>Western Zone, Meerut</i>	<i>Western Sub-Zone, Agra</i>
Headquarters' Staff at the Zone or Sub-Zone.	Assistant Financial Controller of Industries, Meerut. Divisional Superintendent of Industries, Meerut.	Sub-Zonal Industries Officer, Agra. Assistant Director of Industries (Marketing), Agra.
Field Staff	Assistant Director of Industries, Handloom, Meerut. Project Officer, Pilot Project, Deoband. Planning-cum-Survey Officer, Deoband. Assistant Development Officer (Export), Meerut. Superintendent, Workshop Testing Laboratory, Ghaziabad Superintendent, Sports Goods, Dehradun Engineer, Small Engineering Industries, Loni (Meerut) District Industries Officers, Meerut, Dehradun, Saharanpur, Muzaffarnagar, Bulandshahr and Ghaziabad. Design Extension Officer, Pottery, Khurja. Chief Metallurgist, Meerut.	District Industries Officers, Aligarh, Agra, Mathura, Etah and Mainpuri. Manager, Gas Plant, Firozabad. Manager (Technical) Pilot Project for Footwear, Agra. Assistant Development Officer, (Export), Agra. Area Development Officer, Agra.

8.8.14. Particulars of some of the important functionaries at the field level and their functions are given below:

(1) *District Industries Officers*

A District Industries Officer<sup>24</sup> at the headquarters of each district (as also one at Ghaziabad, District Meerut) functions under the overall control of the Zonal/Sub-Zonal officers and is responsible for effective control, supervision, implementation and development of all the industrial activities and schemes in his district. Survey and utilisation of the industrial resources of the districts, implements, machinery, loans and grants, etc., for the industrial units, organization of co-operative societies of small industrialists and giving them necessary guidance, ensuring proper and maximum utilisation of the money and material by the various units, processing of applications for various forms of aid for the development of industries are some of the many functions which he has to perform. The District Industries Officers are assisted by Superintendent (Utilization & Recovery) and by Industrial Inspectors for conducting industrial surveys, inquiries relating to State's aid to Industries in the shape of raw materials and other essential commodities, financial assistance by way of loans and grants and inquiries relating to the licensing of large scale industries under the Industries (Development and Regulation) Act, 1951.

(2) *Deputy Director of Industries (Sericulture), Dehra Dun*

He is assisted by an Agriculture Officer (Plantation), an Assistant Director of Industries (Sericulture), and a Divisional Superintendent of Industries (Accounts) and is concerned with the development of Sericulture, Ericulture and Tussar Silk Schemes in the State. He also controls Mulberry Farms and Nurseries spread over various districts in the State.

(3) *Pottery Development Officer, Khurja*

He is responsible for the proper implementation and functioning of the following schemes besides giving technical guidance and providing processed raw materials and organizing the marketing of finished products:

1. Government Pottery Development Centre, Khurja.

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24. Government decided in April, 1967, that except for the districts of Kanpur, Allahabad, Varanasi, Agra, Lucknow, Meerut and Bareilly, it was not necessary to keep District Industries Officers in other districts. Subsequently, Government have allowed sixteen posts of D.I.Os, Grade I and seven posts of D.I.Os, Grade II to continue in such districts where the number of industrial units is 200 or more. The work in the remaining districts has been entrusted to Deputy Collectors in addition to their own work. The posts of Assistant Development Officer (Industries), posted lately in various development Blocks in each district, were also abolished and their work entrusted to Block Development Officers.

2. Testing Laboratory for High and Low Tension Insulators, Khurja.
3. Pilot Research and Testing Laboratory for Porcelain at Khurja.
4. Industrial Estate at Khurja.

(4) *Director, Central Design Centre, Lucknow*

The Centre was established in 1957 with a view to introducing new designs as also reviving the traditional Indian designs. Training in designing in pottery, brassware, wood working, textile printing, and textile weaving crafts is imparted to talented artists and craftsmen. Design Survey Officers, Assistant Design Survey Officers and Extension Officers (Design), in various crafts, introduce new designs according to the latest market trends, both in this country and abroad.

(5) *Special Manager, Government U.P. Handicrafts, Lucknow*

The Government U.P. Handicrafts functions as the central marketing organization of the State Government. Formerly known as U.P. Arts and Crafts Emporium, it came into being with the new nomenclature in 1940 and has four branches within the state, two at Lucknow and one each at Allahabad, and Agra. There are shops also in New Delhi, Calcutta, Nagpur, Hyderabad and Bhopal. There is a Development Officer (Exports) at New Delhi. For promoting sales of U.P. handicrafts outside the country, he acts as Liaison Officer of the Directorate at New Delhi.

(6) *Project Officers, Deoband (Saharanpur), Mauranipur (Jhansi), Ghazipur and Tarikhet (Almora)*

These Officers, with the assistance of a Planning-cum-Survey Officer and two Technical Assistants each, look after, under a centrally sponsored scheme of rural industrialization, programmes for intensive agro-industrial development of rural areas. The results of the programmes launched in these projects are utilised for formulation of future programmes of rural industrialization in other parts of the State. A similar project at Phulpur (Allahabad) is under the administrative control of Planning Department.

(7) *Kiln Engineers, Wood Seasoning Plants, Allahabad and Bareilly*

Wood seasoning plants have been set up by the Government at these places with a view to providing seasoned wood to furniture and allied industries besides imparting training in wood seasoning and Kiln Operation.

(8) *Chief Metallurgist, Meerut*

This office was established in the year 1951 to provide facilities to the local units for mechanical forging, heat treatment, case hardening, tempering, etc., besides affording technical advice to various

industrial Units. Branch offices have been established at Hathras, Rampur and Kaimganj (district Farrukhabad).

(9) *Assistant Directors of Industries (Handloom)*

With a view to keeping closer supervision and control over Handloom Development Scheme in the State, Assistant Directors of Industries (Handloom) have been posted at Kanpur, Etawah, Meerut, Lucknow, Tanda (Faizabad), Gorakhpur, Mau (Azamgarh) and Mauranipur (Jhansi).

8.8.15. Some of the other important industrial institutions managed by the Department are Government Plastic Goods Training Centre, Etawah; Sports goods manufacturing centres at Bareilly, Electroplating Plants at Kanpur and Moradabad, Iron Foundry and Oil Engine Testing Laboratory at Ghaziabad, Government Glass Beads Centres at Varanasi and Purdilpur (District Aligarh); Government Pottery Development Centre at Chunar (Mirzapur); Government Gas Plant-cum-Scientific Table Blowing Training-cum-Production Centre at Firozabad (Agra) and Pilot Centre (Footwear) at Agra.

8.8.16. The Department is concerned with the following apex industrial institutions:

(i) *The Uttar Pradesh Small Industries Corporation Ltd., Kanpur.* The Corporation is a Company registered under the Companies Act, 1956, on June 13, 1958 with a capital of Rs. 12.50 lakhs divided into 12,500 ordinary shares of Rs. 100 each. The authorised capital of the Corporation has since been raised to Rs. 47.50 lakhs. This Corporation is under the charge of a Managing Director and its activities are directed and controlled by a Board of Directors consisting of official members. The Secretary to Government, U.P., Industries Department, is its Chairman. Among others, the objects for which the company is established are to aid, counsel, assist, finance, protect and promote the interests of small industries in the State and to provide them with capital, credit, means, resources and technical and managerial assistance for the prosecution of their work and business to enable them to develop and improve their methods of manufacture, management and marketing and their technique of production. The Corporation has set up Raw Material Depots at Kanpur and Agra for distribution of controlled raw materials to the small industrial units. It is envisaged that the Corporation would be having Raw Material Depots at all the Divisional Headquarters of the State in due course. The Corporation is also affording assistance to the small industrial units in participating in the Stores Purchase Programme of the State Government. The small industrial units are being enlisted with the Corporation for this purpose.

(ii) *U.P. Industrial Corporation Ltd., Kanpur.* It is a company sponsored by the State Government and was incorporated under the Companies Act, 1956 on March 29, 1961. The authorised capital of the Corporation is rupees five crores and the paid up capital is rupees 4.41 crores. The Board of Directors consists of officials and non-



officials with a majority of official members. The Managing Director is its administrative officer with his office in the Industries Directorate Building at Kanpur. The aims and objects of the Corporation are to promote and assist industrial development in the State by:

- (1) underwriting and participation in share capital of promising industrial concerns in the State so as to create confidence in the public regarding soundness of the project,
- (2) providing necessary facilities to entrepreneurs such as suitable land, power, water, railway siding, etc., by developing industrial areas, and
- (3) prospecting and exploitation of important minerals of the State and preparing projects for their industrial use.

(iii) *U.P. Industrial Co-operatives Association, Kanpur.* This was registered in 1952 as an apex organization of the Industrial Co-operatives of the State. The idea was to help its affiliated societies in the marketing of their products, procuring raw materials and standing surety for loans. The Board of Directors of the Association consists of the Director of Industries, U.P., as *ex-officio* President, Vice-President, seventeen Directors, an *ex-officio* Member appointed by the President as Secretary and two persons co-opted by the Board. The management devolves on the Committee of Management consisting of President, Vice-President, five members and the Secretary.

(iv) *U.P. Financial Corporation, Kanpur.* The U.P. Financial Corporation was established on November 1, 1954 with a view to providing medium and long term credit to industrial concerns. It acts as an agent of the State Government for disbursement of loans out of Government funds under 'Liberalised Loans Scheme'. The maximum loan which can be sanctioned is Rs. 10 lakhs to ordinary firms and Rs. 20 lakhs in case of public limited companies and/or registered co-operative societies. The Secretary to Government, U.P., Industries Department, is the Chairman of the Board of Directors.

(v) *U.P. Export Corporation, Kanpur.* The Government established an Export Corporation, a Private Limited Company, with an authorised capital of Rs. 50 lakhs. Fifty-one per cent. of its shares are owned by the State Government. The Corporation's functions, among others, are (1) to organize and effect exports from India of all such goods and commodities as are manufactured, produced and available in the State; (2) to conduct surveys of markets abroad; (3) to co-ordinate the activities of exporters with the various Export Promotion Councils and Commodity Boards in respect of entitlements, drawbacks, etc., so that lack of knowledge or lack of availability of these facilities does not come in the way of export promotion activities; (4) to re-orient the industries of the State in relation to export markets and to establish institutions for promotion of scientific research in respect of such industries; and (5) to start, finance or participate in export based industries.

(vi) *U.P. Co-operative Spinning Mills Ltd., Etawah.* The Mill,

which was registered as a society in March, 1958 under the Co-operative Societies Act, aims at serving the needs of handloom weavers in general and the weavers' co-operative societies in particular, by making cotton yarn available at reasonable rates. The membership of the Society is open to all registered co-operative societies, individuals and the State Government. The State Government is the largest shareholder, having subscribed 51 per cent. of the capital. The authorised and issued capital are Rs. 150 and Rs. 80 lakhs respectively.

(vii) *State Textile Corporation*. This Corporation<sup>25</sup> was to be set up with an authorized share-capital of Rs. three crores, with the object of assisting the textile industry in Uttar Pradesh to recover from set backs, on the lines of the National Textile Corporation Ltd., set up by the Government of India for similar purpose with an authorized capital of Rs. ten crores. It will handle all facets of the textile industry in the State for its reorganization and will set up new cotton mills and new textile companies in collaboration with other parties and will carry on the business of all trades connected with it, e.g., import and export business, management, etc. In the beginning, it will deal only with such sick mills, which can be run as viable units by financial assistance guaranteeing loans, etc. The Corporation will also work jointly with the National Textile Corporation and manage such companies which might be taken over under the Industries (Development and Regulation) Act, 1951, or the Cotton Textile Companies (Management of Undertakings and Liquidation or Reconstruction) Act, 1967.

8.8.17. The Directorate functions in close liaison and co-ordination with the various Central and State Boards and Committees constituted in matters relating to the development of industries and commerce in the State. The important State Boards and Committees are given below:

(i) *Uttar Pradesh Handloom Board*. The Board, with the Minister for Industries as its Chairman and the Secretary, Industries Department as its Secretary, was constituted in 1953 as an advisory body to examine schemes for the improvement and development of handloom industry. It advises Government on different matters connected with the development of handloom industry.

(ii) *Uttar Pradesh Khadi and Village Industries Board, Kanpur*. This Board has been constituted under the U.P. Khadi and Village Industries Board Act, 1960. Its functions are to plan, organise, develop and regulate Khadi and Village Industries, marketing of products and training of persons engaged and interested in the production of Khadi. The Khadi and Village Industries Commission had advised the State Government that the Board should itself implement the schemes formulated by it instead of having them implemented through the agency of the Director of Industries. The advice was accepted by the Government and the Act of 1960 was amended to that effect through the U.P. Khadi Tatha Gram Udyog Board (San-

25. A decision to this effect was taken in June, 1969 when the book was in the press.

sodhan) Adhiniyam, 1966. The Board itself now looks after the implementation of all Khadi and Village Industries Schemes. The Minister for Industries is the Chairman of the Board.

(iii) *Uttar Pradesh Small Scale and Cottage Industries Board.* The Board, constituted in 1955, advises Government on the organization and development of cottage and small scale industries including the marketing of their products in India and abroad.

(iv) *District Industries Committees.* These Committees have been constituted in each district with the District Magistrate as its Chairman, and the District Industries Officer as its Member-Secretary, to secure people's participation in the actual carrying out of the programme of industrial development chalked out by the Committee for the district, to encourage the organization of co-operative societies for the development of various industries and to decide upon the location of the various industrial units consistent with the availability of different factors of production, local needs and requirements.

(v) *U.P. Export Promotion Advisory Committee.* This committee has been constituted under the chairmanship of Minister for Industries with a view to advising Government on different matters connected with the development of exports of different articles from the State to other countries.

(vi) *State Co-ordination Committee on Small Industries.* This Committee, under the chairmanship of Minister for Industries, ensures co-ordination between different organizations in the State concerned with the development of small and cottage industries and co-ordinates Cottage Industries Programme in the Community Project and Intensive Development Blocks and in the Pilot Project areas and that undertaken directly by the Industries Department. It keeps the Programme in the field under continuous observation and offers necessary guidance from time to time.

(vii) *State Advisory Committee for Rural Industries Projects.* This Committee, under the chairmanship of Chief Minister, advises Government on matters connected with the development of industries taken up in the projects.

(viii) A Sub-Committee of the Cabinet was also set up in 1969 under the chairmanship of the Chief Minister to take immediate decisions required for setting up new industrial units in the State.<sup>26</sup>

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26. Government recently took very special measures to create an industrial climate in the State, besides providing for the infra-structure required by the industries. As a result, a large number of parties have shown keen interest in establishing new industrial units in the State. Among the possibilities during 1969-70 were a fertilizer project of Rs. 40 crores in Mirzapur, a rayon grade pulp factory of Rs. 25 crores near about Bareilly, an automobile tyre-tube factory at Ghaziabad, a power tiller factory, a news-print factory at Lakhimpur-Kheri, a tractor factory at Ghaziabad, explosives factory at Sandila (Hardoi), an aluminium foil factory at Mirzapur and a Butanol factory at Bara Banki.

## 2—PROVINCIAL TEXTILE CONTROLLER, U.P., KANPUR

8.8.18. The Director of Industries, U.P. holds *ex-officio* the post of the Provincial Textile Controller, U.P. He is assisted by an Officer on Special Duty (Textile), who at present is an officer of the Directorate of Industries and holds the post in addition to his duties as Deputy Director of Industries.

8.8.19. The office of the Provincial Textile Controller was established in 1945 on the setting up of the organization of the Textile Commissioner by the Government of India as a consequence of imposition of control on cloth primarily to procure from the mills situated in the State and outside, quotas of cloth and yarn earmarked for the State and to arrange distribution thereof amongst the district importers. The work done at present by the Provincial Textile Controller can be classified under two distinct categories: (i) administration of various cotton and textile control orders and licensing of dealers under the Essential Commodities Act, 1955 and (ii) rendering assistance to the textile industry in resolving various difficulties which confront it from time to time. The latter relates to transport requirements, movement and accumulation of cloth and yarn with the mills.

8.8.20. The administration of control orders includes control on production and distribution of cloth, installation of power looms, spindles, etc., imposition of restrictions on upkeep of cloth stocks by mills and dealers, fixation of prices of cotton for sale for domestic uses, procurement and movement of cotton for mills under various Control Orders and Acts such as the Cotton (Control) Order, 1955, Textiles (Production by Powerloom) Control Order, 1956; the Cotton and Staple Fibre Textile Mills (Regulation of Working) Order, 1966, Woollen Textiles (Production and Distribution) Control Order, 1962 and Art Silk Textiles (Production and Distribution) Control Order, 1962, promulgated under the Essential Commodities Act, 1955, as also under the old control orders such as Cotton Textiles (Control) Order, 1948; Cotton Textiles (Export Control) Order, 1949, Cotton Textile (Control of Movement) Order, 1948. The headquarters office consolidates figures regarding production and delivery of cloth and yarn stock, import of cloth from outside the State and other necessary statistics to keep the Government informed of the textile situation in the State. The administration of these control orders at the district level is entrusted to District Magistrates who do this work through District Supply Officers. In Agra, Allahabad, Kanpur, Lucknow and Varanasi they are also assisted by Senior Inspectors of Cloth.

8.8.21. The Provincial Textile Controller has also to enforce the provisions of the U.P. Controlled Cotton Cloth and Yarn Dealers Licensing Order, 1957 under which he grants licences to commission agents and selling agents. The District Magistrate is the Licensing Authority in respect of importers, wholesalers and retailers.

3—GOVERNMENT CEMENT FACTORY, CHURK  
(MIRZAPUR)

8.8.22. The Government Cement Factory represents one of the

major industrial enterprises owned and managed by the State Government as a departmental undertaking. It is located in the interior of Mirzapur district in a backward and underdeveloped area suffering from chronic scarcity conditions, but otherwise rich in minerals and other resources. The State Government decided to set up this factory in 1948. The construction was completed in 1954 at a total capital cost of Rs. 4.68 crores and the factory started production in September the same year. The site of the factory is well connected by Chunar-Churk link of Northern Railway. The management contract was initially given for a period of three years to a British firm of Messrs. Henry Pooley who had also erected the factory. It is now being run entirely as a departmental undertaking. Further expansion of the factory was done at a cost of about Rs. 2.98 crores, and since February 1, 1963, it has a capacity of producing more than 1400 tons of cement daily.

8.8.23. The management, supervision and control of the factory is vested in the Director who functions as Head of a Department with wide financial and administrative powers. He is assisted by a Deputy Director, an Administrative Officer and a Personal Assistant in his general supervisory functions. A Senior Accounts Officer helps him in financial and accounts matters.

8.8.24. The Director's Office has the following Branches:—

(1) *Production Organization*

This is under the charge of a Chief Engineer who is assisted by Chief Chemist, Geologist-cum-Quarry Manager, Mechanical Engineer, Electrical Engineer, Power Station Engineer, Civil Engineer, Chemical Engineer, Mining Engineer and other officers. Various raw materials like limestone, shale and laterite are available near the factory sites.

(2) *Purchases Organization*

An Officer-in-Charge, Purchases Organization, looks into the purchases of stores required for the operation of the factory. He is assisted by an Assistant Accounts Officer, Purchases Inspectors and other officials.

(3) *Sales Organization*

An Officer-in-Charge, Sales Organization, assisted by Assistant Sales Officer, Sales Inspectors and other officials, looks to the sales of cement. Till June 30, 1956, the factory was owner of the entire cement manufactured by it but afterwards it became the property of the State Trading Corporation of India. The sales were conducted by the factory as their Selling Agents. With effect from January 1, 1966, control on cement was removed by the Government of India, but the work of distribution of cement was entrusted to the Cement Manufacturers' Organization, Bombay. The sale of cement of this factory is conducted by the factory itself in accordance with the policy of distribution drawn up by the said Organization from time to time.



(4) *Personnel Administration*

The Personnel Section is under the charge of a Personnel Officer. It deals with the engagement of suitable and qualified workers and staff for the efficient running and maintenance of the factory and also ensures proper implementation of the different labour laws. 'Works Council', formed with the representatives of the management and workmen, provides a recognized means of consultation between them to promote measures for preserving amity and good relations. It evolves and executes policies in connection with employment, wages, joint consultation and training of workmen and deals with the implementation and enforcement of labour laws and all questions connected with discipline, conduct of workmen and settling of grievances relating to or arising out of the terms and conditions of their employment. The factory runs an apprenticeship training scheme for engineers, supervisors and tradesmen.

(5) *Civil Engineering Section*

Although all the factory and residential buildings were built and other works were carried out by the State Public Works Department, their maintenance and repairs, as also new constructions under the schemes of expansion of the factory, are now carried out by a Civil Engineer and an Additional Civil Engineer under the direct control of the factory administration.

(6) *Welfare Section*

This Section is under the charge of a Welfare Officer. The factory provides extensive welfare facilities and amenities for the workers. Apart from statutory welfare activities enjoined by labour laws, other facilities include residential accommodation, free electricity and water supply, free medical aid and primary education.

8.8.25. *Government Cement Factory, Dulla, Mirzapur.* With a view to meeting the increased demand of cement, particularly for departmental projects, it was decided to set up one more cement factory at Dulla, which is situated at a distance of about 20 miles from Churk Factory. Its annual rated capacity is four lakh metric tonnes, and a capital of Rs. 11.40 crores is involved. The main cement machinery for this factory has been purchased from a French firm named Messrs. Fives Lille Cail and the erection of the factory is in progress. It is expected that the factory will be able to go into production some time in early 1970.

8.8.26. *Council of Management for Government Cement Factories at Churk and Dulla.* This Council, with the Minister for Industries as Chairman, and representatives of the Industries, Finance and Law Departments as Members, is constituted to manage and control the affairs of the cement factories. The Council is empowered to deal finally with all matters concerning the undertakings, except where higher orders of Government (Council of Ministers) may be required.



#### 4—GOVERNMENT PRECISION INSTRUMENTS FACTORY AND GOVERNMENT OPTICAL INSTRUMENTS FACTORY, LUCKNOW

8.8.27. The Government Precision Instruments Factory is a departmental commercial undertaking owned and managed by the State Government. It was set up in 1950 to promote precision mechanics in India. The items undertaken for production were water-meters, microscopes and other precision instruments. The manufacture of pressure gauges and jewel-stone bearings was also taken in hand subsequently. A modern factory building was constructed in 1957 and equipped with up-to-date plants and machinery. The factory employs about 500 regular workers and has a scheme for training of trade apprentices to meet its requirements of skilled workmen.

8.8.28. An Optical Instruments Factory was set up with a view to manufacturing optical instruments such as refractometers, ophthalmological instruments and cameras. A Design-cum-Research Centre had also been established within the factory premises as a non-commercial unit for researches and designs of new precision instruments, jigs, fixtures and dies. It was latter merged with the Government Precision Instruments Factory as its research wing.

8.8.29. The Director of Industries is the head of the department for these Organizations but the person actually responsible on the spot is the Engineer-Manager, who looks after the day-to-day working and has wide powers in administration and deals with the Government direct in routine matters. He is assisted by a Deputy Manager and a number of other officers in technical and accounting fields.

8.8.30. Activities of the factory are carried out through four main departments dealing with General Administration and Sales, Accounts, Works and Purchases, as detailed below:

##### 1. *General Administration*

The Assistant Manager (Administration) looks after all matters relating to administration and sales.

##### 2. *Accounts*

The Accounts Officer looks after matters relating to control on expenditure and allocation of funds to various departments. The work is sub-divided into Cost Accounts dealing with expenditure on each work order, Financial Accounts dealing with general expenditure and receipts and Commercial Accounts for preparation of balance sheets. The profits of the factory form general revenues of the State.

##### 3. *Works*

The Deputy Manager's duties include research and development, progress and planning, production, inspection of goods and testing of final products with the assistance of other technical officers.

#### 4. *Purchases*

An Assistant Engineer (Stores & Purchases) is responsible for arranging raw materials required by the factory and is incharge of material stores.

8.8.31. *Council of Management for the Government Precision Instruments Factory, Lucknow and the Government Optical Instruments Factory, Lucknow.* This Council, with the Minister for Industries as Chairman and representatives of the Industries, Finance and Law Departments as Members, is constituted with powers and objects similar to that of the Committee dealt with in paragraph 8.8.26.

#### 5—VIBHUTI GLASS FACTORY, RAMNAGAR, DISTRICT VARANASI

8.8.32. This factory was originally incorporated under the Companies Act as "Messrs. Vibhuti Glass Works Ltd., Ramnagar, Varanasi." Due to certain financial difficulties the company approached the State Government during 1954-56 for loans amounting to Rs. 11 lakhs for working expenses and purchase of certain machinery, which was granted on the mortgage of the assets of the factory. Conditions, however, continued to deteriorate and the factory could not be run satisfactorily even with the financial assistance extended by the State Government. It incurred losses, became heavily indebted and was ultimately closed down.

8.8.33. On the request of the Company and after negotiations between the State Government, the Company and the Industrial Finance Corporation, New Delhi, a new arrangement was envisaged to restart the Factory, in the interest of the industrial development of the area and to restore employment to those thrown out. The Company requested for a loan of Rs. 20 lakhs from the Industrial Finance Corporation to restart the factory on mortgage of its assets; the State Government agreed to run it on lease for a period of 20 years with the loan of the Industrial Finance Corporation and to stand guarantee for repayment of that loan on behalf of the Company, and also agreed to postpone in favour of Industrial Finance Corporation their first charge under the mortgage held by them in consideration of their original loans of Rs. 11 lakhs to the Company. The Industrial Finance Corporation agreed to advance this loan to the State Government on behalf of the Company for the purpose of restarting the factory by the State Government. A lease-deed was executed on August 22, 1960 between the State Government and the Company setting forth the terms and conditions of the lease. The main features of the lease were that the State Government would run the factory in a business-like manner for a period of 20 years during which its accounts and management would be independent and separate from the affairs and accounts of the Company. After meeting the liabilities on account of the payment of instalments and interest of the Industrial Finance Corporation's loan and appropriating ten per cent on account of the management charges of the State Government, the balance profit would be utilized in repayment of the original Govern-

ment loans and interest thereon and then on the payment of debts to the creditors of the Company in accordance with the terms of the lease deed. The ultimate profit/loss of the factory would be shared between the Company and the Government in the ratio of 50:50.

8.8.34. This factory is engaged at present in the manufacture of glass bottles of various sizes. The factory has been declared as a State Commercial Undertaking and its General Manager a head of department of the State Government who has been delegated necessary financial and administrative powers by the Government to facilitate efficient working. A Council of Management consisting of Secretary to Government, Industries Department, as Chairman, and Finance Secretary, Legal Remembrancer to Government; District Magistrate, Varanasi; representative of Industrial Finance Corporation, etc., as members and the General Manager of the factory as Member-Secretary, has been formed for looking after the affairs and management of the factory and taking final decisions on all matters pertaining to the factory, except where orders of the Council of Ministers are required. Appointing authority for posts carrying up to a maximum monthly pay of Rs. 600 is the General Manager himself and for those above Rs. 600, the Council of Management. Higher technical posts are held on contract basis.

#### 6.—DIRECTORATE OF GEOLOGY AND MINING

8.8.35. Until recently geological activities in this country were largely confined to mapping and collection of fundamental geological data by the Geological Survey of India. Minerals exploration and their development received little attention. With the shifting of emphasis from agriculture to industry, the urgent necessity for a rapid assessment of the mineral resources of the country was felt. It was realised that each State should have its own agency (i) for detailed investigation of its mineral resources with particular reference to requirements of its industries, (ii) to control mining operations and (iii) to collaborate with the agencies of the Government of India in these activities. With these ends in view, the Directorate of Geology and Mining was created in May, 1955.

8.8.36. Mineralogically speaking, Uttar Pradesh is not well developed, partly because it lacks in facilities like transportation and power and largely because no serious efforts were made to explore and utilise the minerals for industrial purposes. Greater stress has now been placed on their exploration and development. The objectives of the Directorate are proving, estimation and grading of mineral reserves by detailed mapping, prospecting, trenching, drilling (where it is considered necessary), sampling for chemical analysis and testing. Geo-chemical prospecting in selected areas is also undertaken.

8.8.37. The policy concerning mineral investigations was laid down by the Indian Mineral Advisory Board as follows: (a) The Geological Survey of India would carry out detailed regional map-

ping of formations and indicate in a general way the possible economic mineral deposits, (b) the State Directorate would then take up investigations from that stage for prospecting work which will include detailed mapping, sampling, trenching and drilling, and (c) the Indian Bureau of Mines would come at the final stage of exploration. This policy was not rigidly adhered to, but the co-ordination of work of the Directorate of Geology and Mining with the central organizations was, however, finalised in the year 1958-59, when it was decided that the investigations already in hand with the central organizations would be completed by them while work on other major and minor minerals would be undertaken by the State organization.

8.8.38. Regulation of the exploitation of minerals was for the first time started in 1893. Rules were framed in 1894 by the Government of India, Department of Revenue and Agriculture (Geology and Minerals) in a Resolution dated the 13th December, 1894. Under the Government of India Act, 1935, mines and minerals became a concurrent subject and the Government of Uttar Pradesh framed in 1940, rules for the regulation of only major minerals. This distinction between major and minor minerals was made for the first time in 1913. All minerals of important industrial use are major minerals and less important minerals like sand, clay, building stone, gravel, marble, etc., are classified as minor minerals. In 1948 the Government of India enacted the Mines and Minerals (Regulation and Development) Act, 1948. Under section 5 of this Act, Mineral Concession Rules, 1949, were framed by the Government of India for major minerals, the function of making rules for minor minerals being left to the State Governments. The said Act and Rules were replaced by the Mines and Minerals (Regulation and Development) Act, 1957, the Mineral Concession Rules, 1960 and the U.P. Minor Minerals (Concession) Rules, 1963. The State Government administer the law for major as well as minor minerals and regulate the mining activity in the State. It is their function under the said Act and Rules to grant certificates of approval, prospecting licences and mining leases and to assess and collect royalties. While the mineral deposits are always the property of Government, individuals have only surface rights. All applications for mining concessions are presented to Collectors. Government in the Industries Department dispose them of after consulting the Director, Geology and Mining, in respect of conservation of mineral wealth, its development or regulation.

8.8.39. The Director, Geology and Mining, U.P., has his headquarters at Lucknow. He is assisted by a Deputy Director (Exploration), nine Geologists, eleven Assistant Geologists, one Senior Geo-Chemist and one Geo-Chemist, three Mines Officers, five Assistant Chemists, one Officer Surveyor, one Officer-in-charge, Map Section and two Assistant Drilling Engineers. The Directorate has two main sections—Geological Section and Chemical Section, each with its own staff, equipment and laboratory. Besides these, there is a Library, a Museum, a Photographic Laboratory and a Section Cutting Labora-

tory. Mining Wing to supervise mining operations by lessees was also established during 1961-62. The Director, Geology and Mining, is an *ex-officio* member of the Mineral Advisory Board set up by the Government of India to consider modifications which may be desired in the Mines and Minerals (Regulation & Development) Act, 1957, as also of the Central Regional Mineral Advisory Committee.

8.8.40. There are at present two Circle Offices of the Directorate, viz., the Southern Circle Office with headquarters at Allahabad and the Northern Circle Office with headquarters at Dehra Dun, each under the charge of a Geologist, to supervise the mining activities of the Directorate in the Circle. Besides, Quarry Offices have also been set up in the districts of Dehra Dun, Jhansi, Hamirpur, Allahabad, Banda, Agra and Mirzapur, to collect royalty from the lessees of these districts. The geological and the mining parties of the Directorate establish their field camps in different parts of the State for investigations every year. The strength of these field camps depends upon the type of investigation. The parties generally work in the field for eight to ten months a year and on return to headquarters, prepare and submit their reports, important among which, including the annual administration reports, are sent to different international organizations.

8.8.41. The conference of State Secretaries and Directors of Geology and Mining convened by the Union Minister of Mines and Metals at New Delhi in March, 1966 considered it extremely necessary that the resources of personnel and equipment available with both the Central and State agencies of mining exploration should be deployed to the maximum advantage, as optimum development of mineral wealth was an essential pre-requisite to the industrialisation of the country. It was decided that the State Governments should draft annual programme of investigation in accordance with their scheme of priorities within the framework of the national and State Plans of development. For this purpose, it was agreed that State Governments might set up State Programming Boards. In pursuance of this decision a State Geological Programming Board was constituted in November, 1966 initially for a period of three years, with the Secretary, Industries Department as Chairman, and Commissioner and Secretary, Finance Department or his nominee; Secretary, Planning Department or his nominee; Director (Minerals), Government of India, Planning Commission, New Delhi; Director, Northern Region, Geological Survey of India, Lucknow; Superintending Geologist-in-charge, U.P. Circle, Geological Survey of India, Lucknow; Managing Director, U.P. State Industrial Corporation, Kanpur, and a few non-officials representing the mining industry in the State as members and the Director, Geology and Mining, U.P., Lucknow as Member-Secretary. Besides advising the Government on matters concerning the Directorate of Geology and Mining, U.P., the Board pays special attention to the following matters:

(1) Co-ordination and evaluation of programmes of various



departments and organizations engaged in geological activities.

- (2) Definition of priorities of exploration projects in relation to State development plans.
- (3) Arrangements for the training of Geologists, Drilling Engineers, Mining Engineers, etc., and
- (4) Reviewing and advising Government on various steps which would lead to speedier exploration of essential minerals.

The Board is expected to meet every six months or more frequently as may be necessary.

## 7—PRINTING AND STATIONERY ORGANIZATION

8.8.42. The Superintendent, Printing & Stationery, U.P., has his headquarters at Allahabad. A Government Central Press at Allahabad was set up in 1858 for undertaking all the printing requirements of the Government, and while the Superintendent used to look after the Printing Office only, a small Stationery Office used to collect indents from different Government departments and send them over to the Central Stationery Office, Calcutta, with instructions for supply direct to indenters. In 1932, a self contained Stationery Office was brought into existence and the Superintendent, Printing, was also made incharge of Stationery.

8.8.43. The object of the organization is primarily the security of all Government printing work emanating from various departments and its production at economical and consistent rate levels. The increasing volume of Government business has necessitated decentralization of printing work which is also carried out at the New Government Press, Aishbagh Lucknow, set up during 1949-50 and the Branch Press, Lucknow. There is also a Government House Press at Lucknow which works exclusively for the Governor's Secretariat; and a Government Photo-Litho Press at Roorkee mainly for map and lithographic colour printing works. The Naini Jail Branch Press situated within the Jail premises and primarily organized to provide work for convict labour, now has a big Form Store for distribution of a large series of forms to indenting officers.

8.8.44. The State Stationery Office is meant for stocking and supplying articles of Stationery, to all indenting officers of Government departments and semi-Government departments by purchasing bulk quantities at competitive rates. The purchases of articles of stationery, other than paper, are arranged through the Stores Purchase Section of the Directorate of Industries under the guidance of Purchasing Board with the Secretary to Government, Industries Department, as its Chairman. Arrangements for purchase of paper are made through the Directorate of Supplies and Disposals, Government of India, New Delhi. Matters relating to printing and supply of



stationery are governed by the instructions contained in the Printing & Stationery Manual.

8.8.45. The Organization of Printing and Stationery Offices is as below:

### *I. Printing*

(i) The Superintendent, Printing & Stationery, is assisted by a Joint Superintendent, a Deputy Superintendent, four Assistant Superintendents (Printing), a Printer's Engineer, an Assistant Printer's Engineer, a Medical Officer, a Welfare Officer and an Accounts Officer at the Government Central Press, Allahabad which undertakes bulk of the printing work and by a Joint Superintendent, Printer's Engineer, Deputy Superintendent (Designs), two Assistant Superintendents and one Assistant Accounts Officer, a Medical Officer and a Welfare Officer for Lucknow Presses. The Government Photo-Litho Press at Roorkee is under the charge of an Assistant Superintendent.

(ii) The Presses usually consist of (i) industrial establishment comprising of Composing, Press Room and Machine, Bindery, Reading, Lithography, Foundry and Mechanical Sections, and (ii) Printing Office establishment comprising of Printing, Publication and Forms Branches.

(iii) Service conditions of Press employees and provision of other amenities for them are governed by welfare schemes and labour laws applicable to industrial undertakings. Labour disputes are dealt through the Work Council composed of representatives of management and workmen; and if no unanimous decision is reached, the matter is referred for arbitration to the Chairman, Conciliation Board for disputes of State Owned Undertakings. If no compromise is reached, the dispute is referred to Government in the Industries Department whose decision is final. The process, while giving the worker every opportunity to ventilate his grievance, precludes the possibility of strikes or other hold-ups.

### *II. Stationery*

The Superintendent is assisted by the Joint Superintendent and an Assistant Superintendent (Stationery) at his headquarters. The Stationery Office has a laboratory to test the genuineness of supplies. The Government Central Press, Allahabad, also houses the State Form Store and the State Stationery Office. Supplies are made to the indenting officers free of cost or on payment according to their classification. The Lucknow Depot supplies stationery stores to the local indenting officers.

## List of Acts, Rules, etc. relating to Industries Department

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted</i>
<b>Acts</b>			
1.	Mirzapur Stone Mahals Act	1886	Govt. of India
2.	The Industrial Finance Corporation Act	1948	"
3.	The State Financial Corporation Act	1951	"
4.	The Industries (Development & Regulation) Act	1951	"
5.	Indian Mines Act	1952	"
6.	The Khadi and Village Industries Commission Act	1956	"
7.	Mines & Minerals (Regulation and Development) Act	1957	"
8.	The U.P. Khadi and Village Industries Board Act	1960	State Govt.
9.	Cotton Textile Companies (Management of Undertakings and Liquidation or Reconstruction) Act	1967	Govt. of India
10.	Gold Control Act	1968	"

## Rules and Manuals

1.	Industries Manual	1950	State Govt.
2.	U.P. Stores Purchase Rules	—	"
3.	The Industrial Finance Corporation Rules	1957	Govt. of India
4.	Mineral Conservation and Development Rules	1958	"
5.	Mineral Concession Rules (applicable to major minerals only)	1960	"
6.	U.P. Khadi & Village Industries Board Rules	1962	State Govt.
7.	U.P. Minor Minerals (Concession) Rules	1963	"
8.	U.P. Printing & Stationery Manual	1934	"

## Annual Administration Reports

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1.	Annual Administration Report of the Industries Department	January-December	1927	Director of Industries
2.	Report on Directorate of Geology and Mining, U.P.	April-March	1955	Director, Geology & Mining

## 8.9. LABOUR DEPARTMENT

8.9.1. The earliest legislation relating to industrial disputes in India was the Employers and Workmen (Disputes) Act of 1860 which provided for speedy and summary disposal by Magistrates of all disputes concerning wages of workmen employed in railways, canals and other public works. This Act was hardly brought into use and was ultimately repealed in 1922. In 1929, the Trade Disputes Act was passed for a period of five years in the first instance. The Act was made permanent in 1934. This act contained provisions for the establishment of a Court of Enquiry and a Board of Conciliation to investigate into or settle disputes. In order to check sudden strikes and lock-outs in public utility services, the Act made it an offence to declare strikes and lock-outs unless a fortnight's notice was given by the party concerned. This Act was amended in 1938, to make provision for appointment of Conciliation Officers for mediating in and promoting settlement of trade disputes.

8.9.2. The Trade Disputes Act, 1929, remained practically a dead letter in this State particularly in the absence of any machinery for prevention and settlement of industrial disputes, or for attending to the welfare of industrial workers. When popular Government came into power for the first time in 1937, a Labour Office was set up, and the first stage in the direction of setting up a systematic organization for dealing with these problems was taken by the Government when a whole-time Labour Officer was appointed in 1937. Shortly afterwards the report of the Kanpur Labour Enquiry Committee was published and there was a general strike in all the textile mills at Kanpur as a result of the unwillingness of the employers to accept and implement the recommendations of the Committee. The strike was called off after fifty days with the intervention of Government, but one of the conditions for settlement of the strike was the appointment of a senior ICS officer as Labour Commissioner and Conciliation Officer. The then Secretary, Industries Department, was appointed as the first part-time Labour Commissioner in 1938. In the absence, however, of a whole time Labour Commissioner, labour matters were being administered by the Director of Industries and the District Officers in their own way, resulting in lack of co-ordination. A whole-time Labour Commissioner was, therefore, appointed in 1940.

8.9.3. In the year 1944, the office of the Chief Inspector of Factories and Boilers, which was then a sub-office under the control of the Labour Commissioner, was amalgamated with the Labour Commissioner's office. The period after 1944 saw the evolution of a progressive labour policy of the State. After the assumption of office by the popular Government in 1946, a strong conciliation machinery was established and the Industrial Disputes Act, 1947 was enacted. The Factories Act of 1948 was passed and enforced. As a result, the work of the Factories Inspectorate increased. Simultaneously, there was growth of trade unionism and workers began to

assert their rights and in order not to create industrial unrest, it became necessary to give prompt attention to the grievances of workers. Conciliation machinery for avoidance and settlement of industrial disputes was, therefore, strengthened. In 1953, an Efficiency Section was also added to the office of the Labour Commissioner to deal with problems of rationalization in industry and other aspects of industrial engineering. Up to 1945, the Industries Department in the Secretariat continued to exercise administrative control over the Labour Commissioner's Organization. Then a separate Labour Department was created in the Secretariat, though Secretary, Industries, continued to look after it. In 1949 a separate post of Labour Secretary was created.

8.9.4. Industrialization in its wake brings a number of socio-economic problems which can, broadly speaking, be divided into working conditions, industrial safety, hygiene and welfare inside the place of work; wages Industrial Relations; Trade Unionism; Social Security; Welfare outside the place of work; Employment and Unemployment and miscellaneous other problems. The main objective of the Labour Organization is to solve them by legislation and special technique and machinery for administration. The labour laws are based on the broadest principles of social justice and are characterised by adoption of the approach of the International Labour Organization.

8.9.5. Employment Exchanges and Industrial Training Institutes came into being under the stress of post-war demobilisation. The first Employment Exchanges in India were set up more or less as appendages of the National Service Labour Tribunals established to administer the National Service (Technical Personnel) Ordinance, 1940. When the Tribunals were first set up, the intention was that they should gradually assume the role of Employment Exchanges for technical personnel. The statutory powers given to the Tribunals during the period of war emergency to fix wages and terms and conditions of service of employees and to compel employers to give up employees and the employees to take up employment in the national service, distinguished them from voluntary Employment Exchanges in other countries. As the war progressed, it was felt that Employment Exchanges should be equipped to deal with skilled and semi-skilled workmen who would be thrown out with the cessation of hostilities. In pursuance of a scheme thus drawn, a Directorate General of Resettlement and Employment (now Directorate General of Employment and Training) was created at the Centre in July, 1945. The Directorate was also responsible for the technical training scheme introduced to meet the shortage of skilled craftsmen and technicians during the war. After the end of the war, these schemes were modified to meet the need of training demobilised persons. Subsequently in 1952, the Training and Employment Services Organisation Committee (Shiva Rao Committee) recommended organisation of a proper system for training of craftsmen and the Government of India set up a central agency called the National Council for

Training in Vocational Trades for carrying out training programme of industrial training institutes in the country.

8.9.6. The administration of Employment Exchanges and Industrial Training Institutes was transferred to the control of the State Government from November 1, 1956 and a Department of Training and Employment was created.

8.9.7. It was noticed that employers in the private sector were reluctant to use the Exchanges as a normal channel of recruitment on the plea that all qualified persons were not registered at the Exchanges. All the qualified employment seekers, on the other hand, did not register themselves at the Exchanges for employment assistance on the plea that all vacancies were not reported to the Exchanges. The Employment Exchanges (Compulsory Notification of Vacancies) Act was, therefore, passed in 1959, requiring employers both in the public as well as private sectors, to notify their vacancies to the Employment Exchanges. The Act was enforced in Uttar Pradesh from May 1, 1960.

8.9.8. Under the Constitution of India, Labour is a concurrent subject and the old division of powers between the Central and the State Governments still remains. The regulation of labour and safety in mines and oil fields, industrial disputes concerning Union employees and inter-state migration, are Central subjects. Factories, labour welfare, social security and social insurance, employment and unemployment, trade unions, industrial disputes, etc. are the subjects of concurrent legislative jurisdiction of both the Union and the State Governments. Though the State Governments are empowered to enact their own separate laws on any of the concurrent subjects, yet separate State legislation has been undertaken here only in cases where there is no Central law in force or in which a separate State law was required to meet the special needs of the State.

8.9.9. The Labour Department has three subordinate offices, viz. Offices of the Labour Commissioner, U.P., Kanpur; the Presiding Officer, Industrial Tribunal, Allahabad and Director, Training and Employment, U.P. Lucknow. The Secretariat staff comprises of:—

Secretary	..	..	1
Special Secretary, Labour & Industries	..	..	1
Joint Secretary	..	..	1
Deputy Secretaries	..	..	2
Assistant Secretary	..	..	1
Superintendents	..	..	4

The Department has four Sections.

8.9.10. The matters dealt with in the Labour Department are as follows:—

## A. *Labour*

### 1. Central and State Labour Laws.

#### *Central Laws*

- (1) The Indian Boilers Act, 1923.
- (2) The Workmen's Compensation Act, 1923.
- (3) The Indian Trade Unions Act, 1926.
- (4) The Payment of Wages Act, 1936.
- (5) The Employment of Children Act, 1938.
- (6) The Industrial Employment (Standing Order) Act, 1946.
- (7) The Industrial Disputes Act, 1947.
- (8) The Factories Act, 1948.
- (9) The Employees' State Insurance Act, 1948.
- (10) The Minimum Wages Act, 1948.
- (11) The Plantations Labour Act, 1951.
- (12) The Employees' Provident Fund Act, 1952.
- (13) The Working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955.
- (14) The Working Journalists (Fixation of Rates of Wages) Act, 1958.
- (15) The Motor Transport Workers Act, 1961.

#### *State Laws*

- (16) The U.P. Maternity Benefit Act, 1938.
- (17) The U.P. Shops and Commercial Establishments Act, 1947.
- (18) The U.P. Industrial Disputes Act, 1947.
- (19) The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.
- (20) The U.P. Industrial Housing Act, 1955.
- (21) The Uttar Pradesh (Industrial Establishment) National Holidays Act, 1961.
- (22) The U.P. Labour Welfare Fund Act, 1965.

2. Settlement of industrial disputes including strikes and lock-outs.

3. Development of trade unions.

4. Works Councils in State-owned undertakings and Co-operative Federation, etc.

5. Labour Committees and Conferences.

6. Enforcement and implementation of awards of Labour



Courts, Industrial Tribunals and settlements arrived at in conciliation proceedings.

7. Labour Welfare.

8. Facilities for procurement of raw materials for manufacturing concerns to avert closure and unemployment of workers as a consequence thereof.

9. International Labour Organization.

10. Conduct of socio-economic enquiries on working and living conditions of workers.

11. Collection of labour statistics.

12. Old Age Pension Scheme.

The main agency of the Government for carrying out their labour policy is the Labour Commissioner, U.P., Kanpur. He has also been notified as Statistics Authority under the Collection of Statistics Act, 1953 for the purposes of collection of statistics relating to welfare of labour and conditions of labour as specified in Section 3(c) of the Act. Government also co-ordinate the implementation of the Employees' State Insurance Scheme and the Employees' Provident Fund Scheme with the corresponding agencies of the Government of India. The working of these schemes in Uttar Pradesh is explained in later paragraphs.

*B. Training and Employment*

1. National Employment Service and Employment Exchanges.

2. Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959.

3. Employment Market Information Programme and Unemployment.

4. Vocational Guidance and Employment Counselling.

5. Industrial Training Institutes.

6. Apprenticeship Training.

The implementation of the directives and policies in these matters is the duty of the Director, Training and Employment, U.P., Lucknow, in consultation with the Government and the corresponding Central agencies. The Gorakhpur Labour Organization, which is run by the Government of India, was formerly under the administrative control of the Director. From April 1, 1961, its administration was transferred to the Director of Employment Exchanges in the Directorate General of Employment and Training, New Delhi. All work relating to technical education of Certificate standard at Government Industrial and Technical Institutions, as were dealt with in Technical Education Department, including that relating to determination of syllabi and inspections was transferred to Labour Department

from June 1, 1965 and was centralized with the Director of Training & Employment, except that the management of Certificate standard institutions of Harijan Sahayak Department was left with the Director of Harijan and Social Welfare.

8.9.11. *Employees' State Insurance Scheme.* Under this scheme all employers of factories using power and employing more than twenty workers make weekly contributions in respect of their employees receiving monthly wages not exceeding Rs. 400 each to the Employees' State Insurance Corporation, and each such employee also makes similar contribution about himself through his employer at the rates specified for each in Schedule I of the Employees' State Insurance Act, 1948, as amended. The worker is insured against sickness, disablement and maternity (in case of women) and is provided with dependant's benefits and other medical benefits at E.S.I. dispensaries and hospitals. There is a Joint Director of Medical and Health Services (Employees' State Insurance), U.P. at Kanpur, who is also Chairman of the Medical Board established for the purpose of assessing the degree of permanent disability sustained by an insured person as a result of employment injury. Appeals against the decisions of the Board lie to the Employees' State Insurance Courts, constituted for local areas at Agra, Aligarh, Allahabad, Bareilly, Churk (Mirzapur), Dehra Dun, Firozabad (Agra), Ghaziabad (Meerut), Ghazipur, Hapur (Meerut), Hathras (Aligarh), Hiranagau (Agra), Izzatnagar (Bareilly), Jhansi, Kanpur, Lucknow, Mathura, Meerut, Mirzapur, Modinagar, Moradabad, Pipri (Mirzapur), Rampur, Roorkee (Saharanpur), Saharanpur, Sahjanwa (Gorakhpur), Shekohabad (Mainpuri), Sitapur and Varanasi.

8.9.12. *Employees' Provident Fund Scheme.* All employees of establishments employing 20 or more persons have to contribute 6½ per cent. of the wages of the employee and the employer has to make an equal contribution. This fund is administered in U.P. by the Regional Provident Fund Commissioner, Government of India, Kanpur.

### 1—LABOUR COMMISSIONER, U.P.

8.9.13. The Labour Commissioner, U.P. has his headquarters at Kanpur. He is assisted by an Additional Labour Commissioner, a Joint Labour Commissioner, three Deputy Labour Commissioners, a Chief Inspector of Factories, a Chief Inspector of Boilers, and an Engineer (Electrical and Mechanical), along with a number of other officers at the headquarters and regional levels.

8.9.14. The Labour Commissioner's office has the following sections, each of which is entrusted with the administration of specific branches of the organization, and Acts and Rules, as detailed below:

#### I. *Industrial Relations Section*

This Section is under the charge of a Deputy Labour Commissioner (Industrial Relations) who is assisted by two Assistant Labour Commissioners and one Labour Officer (Industrial Relations). It

deals mainly with the administration of the Industrial Disputes Act, 1947, the U.P. Industrial Disputes Act, 1947, the Working Journalists (Fixation of Rates of Wages) Act, 1958, the U.P. Industrial Establishment (National Holidays) Act, 1961 and the Working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955. There are seven Regional Conciliation Offices at Agra, Allahabad, Bareilly, Gorakhpur, Kanpur, Lucknow and Meerut with sub-regional offices, as mentioned in paragraph 8.9.15, for settlement of industrial disputes in their respective areas. Along with the Regional and Sub-Regional Officers, some other officers under the administrative control of the Labour Commissioner have also been notified to act as Conciliation Officers under the State and the Central Acts.

## II. *Welfare Section*

This Section is under the charge of the Additional Labour Commissioner (Welfare). It is responsible for carrying out labour welfare work in the State through Labour Welfare Centres. There are 64 Labour Welfare Centres in labour concentration areas in the State as in the list given after paragraph 8.9.16, for labourers and members of their families. Seasonal Centres also function at a few places during the sugar cane crushing season, and provide recreational facilities. There is also a Government Labour Welfare T.B. Clinic at Kanpur. In order to organize and co-ordinate welfare work, regional offices have been set up at Kanpur, Agra, Bareilly, Meerut, Lucknow and Allahabad located in the office of the Regional Deputy/Assistant Labour Commissioner at those places.

## III. *Plantations Section*

The Additional Labour Commissioner (Welfare) is also the Chief Inspector of Plantations and looks after the enforcement of the Plantations Labour Act, 1951. The Act provides for better welfare facilities to workers and regulates conditions of work in plantations. It applies to any land used or intended to be used for growing tea, coffee, rubber or cinchona, which measures twenty-five acres or more and where thirty or more persons are employed. The Chief Inspector of Plantations is assisted by a wholetime Inspector of Plantations posted at Dehra Dun.

## IV. *Factories Section*

This Section is under the charge of the Chief Inspector of Factories. It looks after the administration and enforcement of the Factories Act, 1948, the Payment of Wages Act, 1936, the U.P. Maternity Benefits Act, 1938 and the Employment of Children Act, 1938. Particulars relating to these Acts are as follows:—

1. *The Factories Act, 1948.* The Act regulates the conditions of work inside the factories. The U.P. Factories Welfare Officers' Rules, 1955, framed under the provisions of the Act, require appointment of Welfare Officers in factories employing more than 500 persons. They act as Liaison Officers between the workers and the

management, attend to the welfare of workers and are required to maintain a neutral attitude during legal strikes or lock outs.

2. *The Payment of Wages Act, 1936.* The Act applies to persons working in a factory or railway getting below Rs. 400 a month. It provides for the regulation of fixation of wage periods, payment of wages of workers and prohibits deductions from wages by the employer except such as are permitted by law.

3. *The U.P. Maternity Benefits Act, 1938.* The Act provides for payment of a cash benefit to women workers for specified periods before and after child birth and compulsory period of rest.

4. *The Employment of Children Act, 1938.* The Act prohibits the employment of children below the age of 15 years in any occupation connected with the transport of passengers, goods or mails by railways or connected with a port authority within the limits of any port. The Act also prohibits the employment of children below the age of 14 years in certain specified types of workshops.

The Chief Inspector of Factories is assisted by two Deputy Chief Inspectors of Factories and a few Inspectors of Factories.

#### V. *Minimum Wages and Shops Section*

This Section handles work relating to the U.P. Shops and Commercial Establishments Act, 1947 and the Minimum Wages Act, 1948. These Acts deal with matters, as follows:—

1. *The U.P. Shops and Commercial Establishments Act, 1962.* The Deputy Labour Commissioner (General) functions as Chief Inspector of Shops and Commercial Establishments and attends to the administration of this Act. He is assisted by a Deputy Chief Inspector of Shops and Commercial Establishments and a number of Labour Inspectors. Besides, all Deputy Labour Commissioners, Assistant Labour Commissioners, Regional Conciliation Officers, Additional Regional Conciliation Officers and Labour Officers also exercise the powers of Inspectors under this Act. This Act provides to workers of shop and commercial establishments through regulatory provisions benefits in the matter of hours of work, closing and opening hours, payment of wages, fines, dismissals, holidays and leave, etc.

2. *The Minimum Wages Act, 1948.* The Minimum Wages Act, 1948 provides for the fixation of (a) a minimum time-rate, (b) a minimum piece-rate, (c) a guaranteed time-rate and (d) overtime rate appropriate to different occupations, localities or classes of work for adults, adolescents, children and apprentices in certain industries and in agriculture. Minimum rates of wages have been fixed in this State for Industrial Employment, such as employment in establishments or manufactory dealing with woollen carpets, tobacco (including Bidi), rice, flour, dal mills plantations growing cinchona, rubber, tea and coffee; oil; lac; building operation or on construction or maintenance of roads; stone-breaking; public motor transport; tanneries and leather or any local authority and for employment in agriculture. The

Labour Commissioner is the competent authority to ascertain from time to time the cost of Living Index Number applicable to the employees in the scheduled employments. The officers mentioned under the U.P. Shops and Commercial Establishments Act, 1947, also work as *ex-officio* Inspectors under the Minimum Wages Act, 1948. All Sub-Divisional Magistrates and City Magistrates hear and decide claims arising out of payment of less than minimum rates of wages in their respective jurisdiction.

#### VI. *Boilers Section*

This Section is under the charge of the Chief Inspector of Boilers. It supervises the administration of the Indian Boilers Act, 1923 and the Central Boilers Regulations. The Act makes provision for registration, transfer and inspection of boilers and prohibits the use of unregistered or uncertified boilers. This Section attends to the enforcement of the scheme under the U.P. Economizers Rules, 1956, for fuel economy and also conducts examinations of Boilers Attendants under the Boilers Attendants' Rules, 1956. The Chief Inspector of Boilers is assisted by nine Inspectors of Boilers posted at Kanpur.

#### VII. *Trade Unions and Standing Orders Section*

There are two branches in this Section, viz., (i) Trade Unions Branch and (ii) 'Standing Orders' Branch, which are under the charge of the Deputy Labour Commissioner (General) and the Deputy Labour Commissioner (Industrial Relations) respectively. The former also functions as Registrar of Trade Unions. This Section handles the administration of the Indian Trade Unions Act, 1926, and the Industrial Employment (Standing Orders) Act, 1946. The Registrar of Trade Unions is entrusted with the work of certification of 'protected workmen' who being officers of registered trade unions have certain privileges regarding their service conditions, dismissal, discharge and any other punishments. He is assisted by a Deputy and an Assistant Registrar of Trade Unions, and two Inspectors. Inspections in connection with the working of the provisions of the Act and for guidance to the trade unions are carried out by officers of the Trade Unions Section at the headquarters and Inspectors posted in various regions. The Industrial Employment (Standing Orders) Act, 1946, applies to all industrial establishment employing 100 or more persons and such other establishments to which the State Government may extend the provisions of the Act. The Act requires employers to make 'Standing Orders' defining terms of employment of workers on certain specified matters and to get them certified by the Labour Commissioner, who is the "Certifying Officer" under the Act, and has powers of a civil court for this purpose. The administration of the Act is supervised by a Standing Orders Officer. The Industrial Tribunal, Allahabad, is the appellate authority for the purposes of this Act. The Sugar Factories of the State are the only class of industrial establishments which are exempted at present from the provisions of this Act. For them, uniform sets of Standing Orders have been framed and enforced under



Section 3 of the U.P. Industrial Disputes Act, 1947. The Labour Inspectors posted at different centres look after the enforcement of Standing Orders, including those for sugar factories and also obtain draft standing orders from industrial establishments which are covered under the Act.

### VIII. *Statistics and Research Section*

The Section is under the charge of Deputy Labour Commissioner (General), who with the assistance of a Conciliation Officer (Research), a Labour Officer (Statistics), a Senior Research Officer and a Research Officer at the headquarters, looks after (i) compilation and analysis of data relating to labour strikes, retrenchments, industrial disputes, trade unions, wages and earnings of workers, etc., (ii) preparation of Consumer Price Index Number for working class at Kanpur, annual reports on the working of Workmen's Compensation Act and annual review of activities of the Department including those relating to application of I.L.O. Conventions, and (iii) Five Year Plan co-ordination and socio-economic enquiries. The Department had formerly its own Publication and Field Publicity Wings. Both these activities were taken over by Information Department in March, 1966.

### IX. *Industrial Housing Section*

This Section has two branches, one dealing with Housing Schemes for workers of sugar factories of the State initiated in 1952 under the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950, and the other dealing with the housing of workers under the Subsidized Industrial Housing Scheme of Government of India. The Labour Commissioner is the *ex-officio* Labour Welfare Commissioner under the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act and also the *ex-officio* Housing Commissioner, U.P. under the U.P. Industrial Housing Act, 1955. The Section dealing with the housing of workers under the Subsidized Industrial Housing Scheme is under the administrative charge of a Deputy Labour Commissioner, who is also the *ex-officio* Deputy Housing Commissioner, assisted by an Assistant Labour Commissioner who is also the *ex-officio* Assistant Labour Commissioner under the said Act. An Executive Engineer, assisted by an Assistant Engineer and an Assistant Accounts Officer, looks after the housing colonies situated in different industrial towns of the State through Housing Inspectors, Overseers and other staff. The housing scheme for workers of sugar factories is looked after by a part-time Accounts Officer, a part-time Executive Engineer and a whole-time Assistant Engineer.

### X. *Efficiency Section*

This Section is under the charge of an Engineer (Electrical and Mechanical). He is assisted by one Time and Motion Study Officer and one Cost Accounts Officer. It was set up originally in 1953 under an Efficiency Adviser to the Labour Commissioner with a view



to examining the schemes of rationalization in various industries particularly in textile and sugar industries, and for studying other aspects of productivity, industrial engineering, fatigue, etc. It has a psychological laboratory known as Sampurnanand Industrial Psychologic Laboratory, which is equipped with suitable apparatus to test fatigue of workers.

#### XI. *Accounts, Establishment and General Administration Section*

This Section is under the charge of the Deputy Labour Commissioner (General), who is assisted by an Accounts Officer and an Assistant Accounts Officer.

#### XII. *Old Age Pension Section*

The U.P. Old Age Pension Scheme was introduced with effect from December 1, 1957. It provides relief to old and destitute persons of 65 years of age or more, who are without any means of subsistence and are unable to earn their own living and have no near relations of 20 years or over to support them. Beggars, mendicants and persons maintained free of cost at poor houses are not included. The pensions are of two kinds, (a) life pensions which are granted for full life and (b) limited term pensions, which usually terminate after a fixed period, i.e., on attaining the age of 20 years by a relative supporter of the pensioner, when the pensioner ceases to be a 'destitute'. The amount of pension is at present Rs. 20 p.m. Sample surveys are undertaken from time to time to see that the Scheme is working satisfactorily. The Section is under the charge of the Additional Labour Commissioner. A Senior Accounts Officer attends to the accounts of the Scheme. Though a wing of the office of the Labour Commissioner, the Section forms a separate entity for budget and accounts purposes.

### REGIONAL AND FIELD OFFICES

8.9.15. There are seven regional offices situated at Agra, Allahabad, Bareilly, Gorakhpur, Kanpur, Lucknow and Meerut. The Regional Offices at Kanpur and Meerut are under the charge of a Deputy Labour Commissioner each and the rest under the charge of an Assistant Labour Commissioner each, except that Gorakhpur Region is under the administrative charge of the Assistant Labour Commissioner, Lucknow. Besides, there are eight sub-regional offices under Additional Regional Conciliation Officers at Aligarh, Varanasi, Kanpur, Saharanpur, Pipri (Mirzapur), Ghaziabad (Meerut), Firozabad (Agra) and Modinagar (Meerut) under the administrative control of the respective Regional Deputy or Assistant Labour Commissioners. The details of the regional offices and their jurisdictions are as follows:—

<i>Region</i>	<i>Office</i>	<i>Jurisdiction</i>
1. Agra	Office of the Regional Assistant Labour Commissioner.	Districts of Agra, Aligarh, Etah, Etawah, Mainpuri, Mathura and Jhansi and all the railway stations in Jalaun district along the Orai-Jhansi railway line.
2. Allahabad	Office of the Regional Assistant Labour Commissioner.	Districts of Allahabad, Banda, Varanasi, Mirzapur, Pratapgarh, Sultanpur, Jaunpur, Ghazipur, Ballia and Fatehpur.
3. Bareilly	Office of the Assistant Labour Commissioner.	Districts of Bareilly, Shahjahanpur, Nainital, Garhwal, Rampur, Moradabad, Badamun, Pilibhit, Bijnor, Almora, Pithoragarh and Chamoli.
4. Gorakhpur	Office of the Regional Conciliation Officer.	Districts of Bahraich, Gonda, Azamgarh, Basti, Gorakhpur, and Deoria.
5. Kanpur	Office of the Regional Deputy Labour Commissioner.	Districts of Kanpur, Farrukhabad, Unnao, Hamirpur and Jalaun excluding all the railway stations along the Orai-Jhansi railway line.
6. Lucknow	Office of the Regional Assistant Labour Commissioner.	Districts of Lucknow, Sitapur, Kheri, Hardoi, Rae Bareilly, Barabanki and Faizabad.
7. Meerut	Office of the Regional Deputy Labour Commissioner.	Districts of Dehra Dun, Saharanpur, Muzaffarnagar, Meerut, Bulandshahr, Tehri-Garhwal and Uttar Kashi.

8.9.16. The regional officers are responsible for the administration of various labour laws, settlement and mediation of industrial disputes, administration of welfare activities, work relating to Industrial Housing, Trade Unions, collection of statistics, conduct of socio-economic enquiries, etc., with the assistance of Welfare Officers, Labour Inspectors, Trade Union Inspectors, Welfare Superintendents, Organizers, Medical Officers, Housing Officers, Housing Inspectors and Labour Investigators. The Inspectorate of Factories has its Regional Offices at Agra, Aligarh, Allahabad, Bareilly, Gorakhpur, Kanpur, Lucknow, Meerut and Varanasi each under the charge of an Inspector of Factories with additional Inspectors of Factories, where required. There is also a Labour Inspector (Plantations) posted at Dehra Dun.

#### *Labour Welfare Centres*

1. Kanpur	18	4. Govindpuri	1
2. Farrukhabad	1	5. Ghaziabad	1
3. Meerut	1	6. Saharanpur	2

7. Roorkee	1	21. Churk	1
8. Shamli	1	22. Renukut	1
9. Harbanswala	1	23. Gorakhpur	2
10. Chaubarpur	1	24. Padrauna	1
11. Bareilly	2	25. Ramkola	1
12. Moradabad	1	26. Khalilabad	1
13. Raja-ka-Sahaspur	1	27. Agra	3
14. Rampur	1	28. Firozabad	2
15. Kashipur	1	29. Aligarh	2
16. Pilibhit	1	30. Hathras	2
17. Allahabad	2	31. Jhansi	1
18. Varanasi	3	32. Shikohabad	1
19. Bhadoi	1	33. Mathura	1
20. Mirzapur	1	34. Lucknow	3

## 2—LABOUR COURTS AND INDUSTRIAL TRIBUNALS

8.9.17. *Labour Courts.* The following Labour Courts have been constituted each under a Presiding Officer, for adjudication of matters specified in the First Schedule to the U.P. Industrial Disputes Act, 1947 as amended by the U.P. Industrial Disputes (Amendment and Miscellaneous Provisions) Act, 1956, mentioned below:—

- (1) the propriety or legality of an order passed by an employer under the Standing Orders;
- (2) the application and interpretation of Standing Orders;
- (3) discharge or dismissal of workmen including reinstatement of, or grant of relief to, workmen wrongfully dismissed;
- (4) withdrawal of any customary concession or privilege;
- (5) illegality or otherwise of a strike or lock-out; and
- (6) all matters other than those within the jurisdiction of Industrial Tribunal.

<i>Names of Labour Courts</i>	<i>Courts</i>	<i>Jurisdiction</i>
1. Lucknow	}	Whole of Uttar Pradesh.
2. Kanpur I		
3. Kanpur II		
4. Meerut		
5. Allahabad		

8.9.18. Presiding Officers of these courts are members of the Higher Judicial Service, IAS Officers, retired District Judges or Senior

officers of Labour Department. These Courts also decide questions referred to them under the Industrial Employment (Standing Orders) Act, 1946, regarding interpretation of Standing Orders. Labour Courts also determine the money value of any benefit accruing to a workman from any employer under a settlement or an award or retrenchment relief or lay-off relief and which is capable of being computed in terms of money.

8.9.19. *Industrial Tribunals.* The following Industrial Tribunals have been constituted at Allahabad and Lucknow for adjudication of industrial disputes relating to matters mentioned under 'Labour Courts' and to the matters such as wages, including the period and mode of payment; compensatory and other allowances; hours of work and rest intervals; leave with wages and holidays; bonus, profit sharing, provident fund and gratuity; shift working otherwise than in accordance with Standing Orders; classification by grades; rules of discipline; nationalization; retrenchment of workmen and closure of establishment; and any other matter that may be prescribed in the second schedule of the U.P. Industrial Disputes Act.

- (1) Industrial Tribunal (I) 7, Strachey Road, Allahabad.
- (2) Industrial Tribunal (II) 23, A. P. Sen Road, Lucknow.
- (3) Industrial Tribunal (III) 7, Strachey Road, Allahabad.

8.9.20. The Presiding Officers of these Tribunals are High Court Judges, Senior Administrative Officers of the IAS with the rank of Commissioner of a Division and members of the Higher Judicial Service of the same status. They are assisted by a Registrar of the State Labour Service. The Industrial Tribunal (I) is also the adjudicating authority for industrial disputes of working journalists, and the interpreting authority for 'Standing Orders' in respect of the decisions of Labour Commissioner who is the 'Certifying Officer' under the Industrial Employment (Standing Orders) Act, 1946.

#### RELATIONS WITH HEADQUARTERS—DELEGATIONS, CO-ORDINATION AND CONTROL

8.9.21. The State Government have, under Section 11(a) of the U.P. Industrial Disputes Act, 1947, as amended by U.P. Industrial Disputes (Amendment and Miscellaneous Provisions) Act, 1956, appointed the Labour Commissioner, Additional Labour Commissioner and Deputy Labour Commissioner as *ex-officio* Joint Secretary, Deputy Secretary and Under Secretary to Government, U.P., respectively in the Labour Department for reference of disputes to the Labour Courts and Industrial Tribunals for adjudication. The Labour Commissioner and all the Regional Assistant Labour Commissioners are also empowered under Section 6(H) of the U.P. Industrial Disputes Act, to issue a certificate to the Collector for recovery as arrears of land revenue, moneys due from an employer to workmen under the award of an Adjudicator or an Industrial Tribunal. The Labour Commissioner is also the Certifying

Officer for Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.

8.9.22. The Regional Deputy/Assistant Labour Commissioners have powers to sanction prosecutions under the U.P. Shops and Commercial Establishments Act, 1947, and the Minimum Wages Act, 1948. In the matters of industrial disputes, they take action on their own initiative except in cases where they consider that higher instructions from the headquarters are necessary, but prosecutions for breaches of the provisions of the Industrial Disputes Act are done with the approval of the Labour Commissioner or of the Government in important cases. The Regional units are inspected by the Additional Labour Commissioner/Joint/Deputy/Labour Commissioner normally once in six months.

8.9.23. *Implementation of awards.* The power to refer industrial disputes to Labour Courts and Industrial Tribunals for adjudication is exercisable by the State Government. The Labour Court or Tribunal, submits, under Section 6 of the U.P. Industrial Disputes Act, 1947, its award to the State Government alone who after satisfying themselves about it, publish it in the State Gazette. An award becomes enforceable normally on the expiry of thirty days from the date of its publication. The problem of non-implementation arises only in some of those cases in which the award is against the employer, where Government have to intervene and take action for securing compliance. The Labour Department aims at enforcing the laws which it has to administer by persuasion and voluntary effort, and not by authority, compulsion or prosecution except in extreme cases of obstinacy when persuasion and voluntary effort has completely failed. The penalty for non-implementation of award is imprisonment or fine or both.

### BOARDS, COMMITTEES & CONFERENCES

8.9.24. The State Government have set up a State Implementation and Evaluation Board for Industrial Undertakings of which the Labour Minister is the Chairman and Labour Commissioner is the Secretary. The Board consists of an equal number of representatives both of employers as well as employees and cases of non-implementation of award and decisions of Adjudicators, Arbitrators, Industrial Tribunals and Labour Courts along with the settlements arrived at between the employers and their workmen during the course of conciliation proceedings or those decided outside, are evaluated and issues leading to further legal proceedings by employers are also discussed.

8.9.25. Government hold tripartite consultations from time to time both at the Centre and in the State providing thereby reasonable opportunities to the representatives of employers and workers to put forth their difficulties and grievances and to give their views on the Labour policy and legislative programme of the Central as well as the State Governments. A list of important Conferences and Committees is given as follows:—

**A—Conferences**

1. *The Labour Ministers' Conference.*
2. *Indian Labour Conference.*
3. *Standing Labour Committee (Central).*

NOTE. The above three are All-India forums for discussion of labour matters.

4. *The U.P. Labour Tripartite Conference (General)*
5. *The State Labour Tripartite Conference for Textile Industry.*
6. *The State Labour Tripartite Conference for Sugar Industry.*
7. *The State Tripartite Conference for Electricity Industry.*
8. *The State Labour Tripartite Conference for Miscellaneous Industries.*

They provide an opportunity to the representatives of workers, employers and the Government for expressing their views on various labour problems of general nature.

**B—Committees**

1. *Standing Committee of Legislature on Labour.*

The Committee advises Government on various problems relating to labour and industry in the State.

2. *Standing Tripartite Committee for the Textile Industry of Kanpur.*
3. *Standing Tripartite Committee for the Textile Mills in U.P., outside Kanpur.*
4. *Standing Labour Tripartite Committee for Sugar Industry.*
5. *Standing Labour Tripartite Committee for Electricity Industry.*
6. *State Labour Welfare Advisory Committee.*
7. *District Labour Welfare Advisory Committee.*

These committees exist in the districts of Allahabad, Meerut, Dehra Dun, Mirzapur, Saharanpur, Varanasi, Aligarh, Rampur, Jhansi, Lucknow, Bareilly, Moradabad, Agra, Gorakhpur, Deoria, Kanpur and Naini Tal.

8. *Sugar Tripartite (Technical) Committee.*
9. *Ad hoc Committee for allotment of quarters built in various towns of the State under the Subsidized Industrial Housing Scheme.*
10. *Sugar Bonus Committee.*
11. *The Old Age Pension Advisory Committee.*
12. *The Distillery Tripartite Committee.*



8.9.26. *Tripartite Committees constituted by the Government of India or other semi-Government organizations for U.P.*

1. *The Regional Committee of the Employees' Provident Fund Scheme in U.P.*

This Committee advises the Central Government on matters relating to the administration of the Employees' Provident Fund Scheme in the U.P. Region.

2. *The Regional Board of the Employees' State Insurance Corporation, U.P.*

3. *Local Committee of the Employees' State Insurance Corporation for various centres in U.P.*

4. *Permanent Conciliation Board for State owned undertakings.*

The main function of the Board is to bring about an amicable settlement between the parties to the disputes. All these undertakings are required to form 'Works Council', and no dispute can be referred to the Board unless it has been previously considered by the Council. Government, however, have reserved the power to refer any dispute relating to the above parties to the Permanent Conciliation Board for investigation and settlement either on its own motion or on an application made to it. The Government have the power to suspend or quash the proceedings before the Board, if public interest so warrants.

8.9.27. *Other Committees and Boards constituted by the State Government under statutory provisions.*

1. *Housing Board*

This has been constituted under the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950 for proper administration of schemes of housing for workers of Sugar Industry.

2. *U.P. Minimum Wages Advisory Board.*

This has been constituted under the Minimum Wages Act, 1948 for advising the Government in matters of fixation and revision of minimum rates of wages.

3. *Advisory Board to lay the standard and specifications for Housing.*

This has been constituted under the U.P. Plantations Labour Rules, 1957.

4. *Effluent Board, U.P.*

This has been constituted under section 12 of the Factories Act, 1948, and Rule 18 of the U.P. Factories Rules, 1950, for approving the arrangements in factories for disposal of wastes and effluents.

5. *State Advisory Committee (Industrial Housing).*

This has been constituted under the U.P. Industrial Housing Act, 1955.

6. *Advisory Committee constituted under the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.*

8.9.28. *Wage Boards.* The Central Government have set up from time to time Wage Boards for Textile Industry, Sugar Industry, Working Journalists, Cement Industry, Plantations, Jute Industry, Electricity Industry, Non-Journalists, Engineering Industry, Heavy Chemicals and Fertilizer Industry, Leather and Leather Goods Industry and Road Transport Industry. These Boards determine the categories of employees who should be brought within the scope of the proposed wage fixation, and work out a wage structure based on the principles of fair wages.

3. DIRECTORATE OF TRAINING AND EMPLOYMENT, U.P.

8.9.29. The Director of Training and Employment, U.P. has his headquarters at Lucknow. He is assisted by a Joint Director (Training), a Deputy Apprenticeship Adviser, a Deputy Director of Employment Exchanges and a Deputy Director (Administration). In the Employment Wing, there are two Assistant Directors (Exchanges), an Employment Market Information Officer, a Vocational Guidance Officer, an Employment Liaison Officer, an Occupational Information Officer, a Sub-Regional Officer for Inspection, a Professional and Executive Employment Officer, and an Assistant Employment Officer. In the Training Wing, there are two Senior Technical Officers, a few Technical Officers and an Accounts Officer assisted by two Assistant Accounts Officers.

8.9.30. The work is carried out under the overall superior control of the Director and the Joint and the Deputy Directors through the following Sections at the headquarters:

A—EMPLOYMENT WING

8.9.31. This Wing consists of:

(i) *Employment Section.* This Section, under the charge of an Assistant Director, deals with matters relating to Employment Exchange procedure, general policy in regard to the functions of the organization, etc., and the administration of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and the Rules made thereunder, under which employers in the private sector have been, with effect from July 1, 1960, required to notify their vacancies to the Employment Exchanges. It also deals with the liaison and publicity scheme of the organization.

(ii) *Statistics and Inspection Section.* This Section, under the charge of an Assistant Director, compiles statistics of work transacted

at Employment Exchanges, prepares periodical progress reports of the department and attends to the follow-up of periodical inspection of the Employment Exchanges.

(iii) *State Employment Market Information Unit.* The Employment Market Information Scheme was introduced in the State in the Second Five Year Plan. It envisages collection of information about employment in the public as well as the private sectors, and the class of persons employed, with a view to decide what vocational training courses should be provided. The Section, under the charge of Employment Market Information Officer, supervises and controls the working of the Scheme.

(iv) *Vocational Guidance and Occupational Information Section.* The Schemes of Vocational Guidance and Employment Counselling and Occupational Information were introduced during the Second Five Year Plan. The State Unit of Vocational Guidance and Employment Counselling under the charge of Vocational Guidance Officer, guides the Employment Exchanges in the technique of aptitude testing and individual and group guidance. It provides for vocational guidance to young school leavers and employment counselling to adult employment seekers. The Vocational Guidance Unit also publishes a fortnightly "Occupational News Digest" containing information relating to educational and training facilities and employment opportunities. The Occupational Information Scheme, assisted by an Occupational Research Officer, contemplates drafting of standard definitions of different occupations in various industries with a view to giving correct appraisal of the job transacted through a particular occupation.

(v) *Establishment and Accounts Section.* This Section deals with matters relating to Establishment, Accounts and Budget of Employment Exchanges and headquarters establishment.

(vi) *Plan Section.* This Section, under the charge of a Deputy Director, deals with the formulation of Five Year Plan Scheme, their implementation, control of expenditure, etc.

(vii) *Professional and Executive Employment Office.* This special cell at the headquarters of the Directorate is designed to improve the placement of highly qualified applicants such as Doctors, Engineers, Statisticians, Librarians, etc. It is responsible for registration, classification into various occupations of these highly qualified applicants, their placement in suitable employments and maintenance of liaison with large employers, both Government and non-Government.

## B—TRAINING WING

8.9.32. This wing deals with the administration of Industrial Training Institutes and is comprised of the following Sections:—

(i) *Training Section.* This Section, under the charge of a Technical Officer, deals with the distribution and readjustment of seats, admission and discharge of trainees, award of stipends, aptitude tests, factory training, trade tests, award of National Trade Certificates to

successful candidates and follow up of passed out trainees. Craftsmen training in engineering and non-engineering (vocational) trades is imparted to adults between the ages of 15 to 25 years at the Industrial Training Institutes set up at various places throughout the State. Most of the institutes are for boys only. The Institute at Dehra Dun is for girls, while separate classes for girls are also held in some of the institutions. The Section also deals with Certificate courses run at Government Industrial and Technical Institutions. Forty-nine Industrial Training Institutes exist at Almora, Aligarh, Azamgarh, Agra, Allahabad, Etawah, Etah, Kanpur, Lakhimpur, Ghazipur, Gonda, Gorakhpur, Orai (Jalaun), Jaunpur, Dineshpur, Deoria, Dehra Dun (for Girls), Dehra Dun (for Boys), Pratapgarh, Pilibhit, Fatehpur, Fatehgarh, Jhansi, Faizabad, Bahraich, Bareilly, Basti, Ballia, Varanasi, Bijnor, Bulandshahr, Mathura, Mirzapur, Mainpuri, Meerut, Moradabad, Muzaffarnagar, Rae Bareilly, Rampur, Lucknow, Hardoi, Haridwar, Haldwani, Saharanpur, Sitapur, Sultanpur, Shahjahanpur, Sri Nagar (Garhwal) and Banda. Fourteen Government Industrial and Technical Institutions are at Almora, Allahabad, Gorakhpur, Char khari, Tehri (Garhwal), Dehra Dun, Bareilly, Varanasi, Meerut, Lucknow, Sri Nagar, Rampur, Fatehpur and Mau (Azamgarh).

(ii) *Procurement Section.* This Section, under the charge of a Technical Officer, deals with matters relating to procurement and supply of tools and equipment to the Industrial Training Institutes and verification of stock.

(iii) *Building Section.* This Section, under the charge of a Technical Officer, is responsible for the purchase of land; construction, electrification, etc. of buildings; preparation of lay outs, installation of machines and enforcement of provisions of Factory and Electricity Acts.

(iv) *Inspection Section.* Each Industrial Training Institute is inspected at periodical intervals by the Technical Officers, Senior Technical Officer, Joint Director and the Director. This Section watches the compliance of inspection reports.

(v) *Development Section.* This Section, under the charge of a Deputy Director deals with the formulation and implementation of Plan schemes relating to Craftsmen Training, Selection of trades, size, capacity and location of Industrial Training Institutes and work relating to the laying out of standards.

(vi) *Establishment and Accounts Section.* This Section, under the charge of a Deputy Director and assisted by the Accounts Officer, deals with matters relating to establishment and accounts of Industrial Training Institutes and the headquarters staff.

(vii) *State Council for Training in Vocational Trades.* This Section is under the charge of the Joint Director of Training. The Director is the *ex-officio* Secretary of the Council and is responsible for the entire work relating to the Council and co-ordinates its activities with the National Council for Training in Vocational Trades, Government of India.

## REGIONAL OFFICES AND FIELD ORGANIZATION

*Employment Wing*

8.9.33. There is only one Regional Employment Exchange located at Kanpur under the charge of a Regional Employment Officer. There are nine Sub-Regional Employment Exchanges, a Special Employment Exchange at Kanpur for handicapped persons with jurisdiction extending to the whole State, 44 District Employment Exchanges, one Sub-Office, five Town Employment Exchanges, eight University Employment Bureaux, each under the charge of an Employment Officer. Employment seekers who are either unemployed or under-employed get their names registered with the Employment Exchanges. The employers, both public and private, notify their demands of personnel to these offices. The Exchanges match the demand with the personnel available on the registers and send the names of the most suitable candidates to the employers for selection. The Employment Exchanges have also been entrusted with other work allied to placement activities, viz., collection of Employment Market Information, Vocational Guidance and Employment Counselling and Occupational Research and Analysis. The Exchanges collect information about employment market opportunities in respect of their districts. Under the Vocational Guidance and Employment Counselling Scheme, the Exchanges render guidance and advice to adult employment seekers and young school leavers in the choice of career suitable to their aptitude and interest.

8.9.34. The Regional Exchange at Kanpur is responsible for co-ordination of the placement activities throughout the State and for State-wise vacancy-clearing. A special feature of this Exchange is the "Pool and Decasualisation Scheme" designed to form a pool of retrenched workers of mills and decasualisation of labour. This Exchange, as well as the Sub-Regional Employment Exchanges, exercise supervisory control over the District Employment Exchanges and other lower units within their jurisdiction.

*Regional and Sub-Regional  
Employment Exchanges**Jurisdiction*

- |   |  |
|---|--|
| 1. Regional Employment Exchange, Kanpur.        | District Employment Exchange, Etawah and Fatehgarh.  |
| 2. Sub-Regional Employment Exchange, Agra.      | District Employment Exchange, Aligarh, Mathura, Mainpuri, Etah; University Employment Bureau, Aligarh; Sub-Office, Hathras.  |
| 3. Sub-Regional Employment Exchange, Allahabad. | District Employment Exchange, Fatehpur, Mirzapur, Pratapgarh, Sultanpur, Jaunpur & Varanasi; Sub-Office, Rihand Dam; University Employment Bureau, Varanasi and Allahabad. |



<i>Regional and Sub-Regional Employment Exchanges</i>	<i>Jurisdiction</i>
4. Sub-Regional Employment Exchange, Almora.	District Employment Exchange, Naini Tal and for district of Pithoragarh.
5. Sub-Regional Employment Exchange, Bareilly.	District Employment Exchange, Badaun, Bijnor, Moradabad, Pilibhit, Rampur & Shahjahanpur.
6. Sub-Regional Employment Exchange, Gorakhpur.	District Employment Exchange, Azamgarh, Bahraich, Ballia, Basti, Deoria, Gonda and Ghazipur and University Employment Bureau, Gorakhpur.
7. Sub-Regional Employment Exchange, Jhansi.	District Employment Exchange, Banda, Hamirpur and Orai.
8. Sub-Regional Employment Exchange, Lansdowne.	District Employment Exchange, Narendra Nagar and Districts of Chamoli & Uttar Kashi; Sub-Office, Pauri.
9. Sub-Regional Employment Exchange, Lucknow.	District Employment Exchange, Barabanki, Faizabad, Hardoi, Lakhimpur-Kheri, Rae Bareli, Sitapur, Unnao and University Employment Bureau, Lucknow.
10. Sub-Regional Employment Exchange, Meerut.	District Employment Exchange, Bulandshahr, Dehra Dun, Muzaffarnagar and Saharanpur, Sub-Office Ghaziabad and University Employment Bureau, Roorkee.
11. Special Employment Exchange for handicapped persons at Kanpur.	Whole of Uttar Pradesh.

#### COMMITTEES, CONFERENCES AND BOARDS

8.9.35. The State Government as also the Director, Training and Employment, are advised on matters of the Organization by a number of Committees and Conferences mentioned below:—

1. *Standing Committee of Legislature on Employment.* This Committee, under the Chairmanship of the Minister of Labour, reviews the working of the Organization as a whole and advises the Government on matters connected with it.

2. *State Committee on Employment.* The Committee, with the Minister of Labour as Chairman, advises on promotion of Employment Service activities in the State.



3. *District Committee on Training and Employment.* These Committees have been set up in all the districts and are charged with the function of advising the local officers in regard to the selection of trainees for admission in the Industrial Training Institutes, award of stipends and other matters connected therewith as also advising the Employment Exchanges in regard to the problem of employment seekers.

4. *State Youth Employment Advisory Committee.* This Committee under the Chairmanship of the Director, advises the Directorate in matters relating to Vocational Guidance and Employment Counselling programme and is designed to secure increasing public co-operation in relation to the Vocational Guidance Scheme.

5. *Co-ordination Committee on Vocational Guidance.* This Committee, under the Chairmanship of Secretary to Government, Labour Department, is designed to ensure co-ordination of Vocational Guidance programme in this State.

6. *University Employment Bureau Advisory Committee.* These Committees set up at the University Employment Bureaux in the State under the chairmanship of the Vice-Chancellor concerned, exercise overall supervision over the functions of the Bureaux.

7. *State Council for Training in Vocational Trades.* Affiliated to the National Council for Training in Vocational Trades at the Centre, the State Government have constituted a State Council for Training in Vocational Trades under the chairmanship of Minister for Labour to advise the Government in carrying out the policy for training of craftsmen and to co-ordinate the vocational training programmes throughout the State.

8. *State Apprenticeship Council.* This is a statutory body constituted under Section 24(1) of the Apprenticeship Act, 1961 to look after the implementation of the Act in the State.

9. *Mahila Industrial Technical Institutes Advisory Committee.* This Committee, at the headquarters of the Directorate, suggests improvements in the training programme for girls in I.T.Is.

**Acts, Rules, Regulations, etc., relating to Labour Department**

Sl. No.	Name of Act, Rule, Regulation, Manual, etc.	Year	Authority under which enacted or framed
1	2	3	4

**A—Industrial Labour**

**Acts**

1. The Indian Boilers Act	1923	Govt of India
2. The Workmen's Compensation Act	1923	Govt. of India
3. The Indian Trade Unions Act	1926	Govt. of India
4. The Payment of Wages Act	1936	Govt. of India
5. The Employment of Childern Act	1938	Govt. of India

1	2	3	4
6. The U.P. Maternity Benefits Act	1938	State Government	
7. The Industrial Employment (Standing Orders) Act	1946	Govt. of India	
8. The U.P. Shops and Commercial Establishments Act	1962	State Government	
9. The Industrial Disputes Act	1947	Govt. of India	
10. The U.P. Industrial Disputes Act	1947	State Government	
11. The Factories Act	1948	Govt. of India	
12. The Employees' State Insurance Act	1948	Govt. of India	
13. The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act	1950	State Government	
14. Minimum Wages Act	1948	Govt. of India	
15. The Plantations Labour Act	1951	Govt. of India	
16. The Employees' Provident Fund Act	1952	Govt. of India	
17. The Working Journalists (Conditions of Service and Miscellaneous Provisions) Act	1955	Govt. of India	
18. The Uttar Pradesh Industrial Housing Act	1955	State Government	
19. The Working Journalists (Fixation of Rates of Wages) Act	1958	Govt. of India	
20. The Uttar Pradesh (Industrial Establishments National Holidays) Act	1961	State Government	
21. The Motor Transport Workers Act	1961	Govt. of India	
22. The U.P. Labour Welfare Fund Act	1965	State Government	
23. The Beedi and Cigar Workers (Condition of Employment) Act	1966	Govt. of India	
<b>Rules</b>			
1. The U.P. Boiler Inspection Rules	1924	Section 4 of the Act (State Government)	
2. The Indian Boilers Regulation	1950	Section 28 of the Act (Govt. of India)	
3. The U.P. Boiler Attendants Rules	1956	Section 29 of the Act (State Government)	
4. The U.P. Economisers Rules	1959	Section 29 of the Indian Boilers Act (State Govt.)	
5. The U.P. Boiler Operation Engineers Rules	1964	Section 29 of the Act (State Govt.)	
6. The U.P. Qualifications of Welders of Boilers Rules	1959	State Government	
7. The Workmen's Compensation Rules	1924	Section 32 of the Act (Govt. of India)	
8. The Workmen's Compensation (Transfer of Money) Rules	1935	Section 35 of the Act (Govt. of India)	

1	2	3	4
9.	The U.P. Trade Union Regulations	1927	Section 29 of the Act (Govt. of India)
10.	The U.P. Payment of Wages Rules	1936	Section 26 (2) of the Act (State Govt.)
11.	The Payment of Wages (Procedure) Rules	1937	Section 26 (1) of the Act (Govt. of India)
12.	The U.P. Payment of Wages (Procedure) Rules	1958	Section 26 (1) of the Act (Govt. of India)
13.	The Employment of Children (Workshops) (U.P.) Rules	1939	Section 7 (1) of the Act (State Govt.)
14.	The U.P. Employment of Children (Railways other than Federal) Rules	1939	Section 7 of the Act (State Govt.)
15.	The U.P. Maternity Benefit Rules	1939	Section 16 (1) of the Act (State Govt.)
16.	The U.P. Industrial Employment (Standing Orders) Rules	1946	Section 15 of the Act (State Govt.)
17.	The U.P. Shops and Commercial Establishment Rules	1962	State Govt.
18.	The Industrial Disputes (Central) Rules	1957	Section 38 of the Act
19.	The U.P. Industrial Disputes Rules	1957	Section 23 of the U.P. Act
20.	The U.P. Factories Rules	1950	Section 112 of the Act
21.	The U.P. Factories Welfare Officers Rules	1955	Sections 49, 50 and 112 of the Act
22.	The Employees' State Insurance (General) Regulations	1950	Section 97 of the Act by the Employees State Insurance Corporation
23.	The Employees' State Insurance (General) Rules	1950	Section 95 of the Act
24.	The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Rules.	1950	State Govt.
25.	The U.P. Minimum Wages Rules	1952	Section 30 of the Act
26.	The U.P. Plantations Labour Rules	1957	Section 43 of the Act
27.	The Employees' Provident Fund Schemes	1952	Section 5 of Act (Govt. of India)
28.	The Working Journalist (Conditions of Service) and Miscellaneous Provisions Rules	1957	Section 29 of the Act (Govt. of India)
29.	The Working Journalists Wage Board Rules	1956	Section 20 of the Act (Govt. of India)
30.	The U.P. Working Journalists (Industrial Disputes) Rules	1957	Section 38 of Industrial Disputes Act, 1947.

1	2	3	4
31. The U.P. Industrial Housing Rules	1959	Section 28 of the Act	
32. Rules relating to the Accounting Procedure, etc, under the Old Age Pension Scheme.	1957	State Govt.	
33. U.P. Motor Transport Workers Rules	1962	"	
34. The U.P. Industrial Establishments (National Holidays) Rules.	1965	"	

**B—Training and Employment****Acts**

1. The Employment Exchanges (Compulsory Notification of Vacancies) Act	1959	Govt. of India, Ministry of Labour & Employment.	
2. The Apprenticeship Act	1961	Govt. of India.	

**Rules**

1. The Employment Exchange (Compulsory) (Notification of Vacancies) Rules	1960	Section 10 of the Act (Govt. of India)	
2. National Employment Service Manual	1960	Director of Employment Exchange, Ministry of Labour & Employment, Govt. of India	
3. Training Manual	1961	Director of Training, Ministry of Labour and Employment, Govt. of India	
4. The Apprenticeship Rules	1962	Govt. of India	

**Annual Administration Reports**

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1. Yearly Review of Labour Department		January-December	1946	Labour Commissioner.
2. Annual Review of Activities of Training & Employment		"	1960	Director, Training & Employment.

## 8.10. FOOD & CIVIL SUPPLIES DEPARTMENT

8.10.1. An organization to handle matters concerning distribution of food and certain other commodities was started in the year 1940, for arresting the rising prices of essential commodities on account of the second World War and for ensuring their supplies at reasonable prices. The first two years of the war did not seriously disturb the normal economic conditions in the country, but with the entry of Japan into the war and its approach to India's eastern frontiers, the position became difficult. Widespread speculation and hoarding led to visible shortage of supplies and high prices. To check the rising trend of prices, Government appointed a Price Controller and a Price Control Department was created in 1941. The Bureau of Statistics and Economic Research was made a part of it for preparing indices of prices, cost of living, etc. In 1942, however, owing to great increase in the work connected with the supply of essential commodities to the people and with economic matters in general, the Department was split up into: (i) a Department of Civil Supplies to deal with supply, control and distribution of essential commodities; and (ii) a Department of Economics and Statistics. The maxima of wholesale and retail prices of listed essential commodities were fixed and their enforcement was largely entrusted to District Officers. Subsequently in the year 1943, the Organization grew into a full-fledged department for dealing with the policies in respect of procurement of important foodgrains and their storage and distribution through a net work of retail shops. The State was divided into six Regions each under the charge of a Regional Food Controller, which was subsequently reduced to four Regions with headquarters at Gorakhpur, Kanpur, Lucknow and Meerut. During the same year the work of Civil Supplies was split into two separate departments. Work of procurement of commodities came under the Civil Supplies Department and that of distribution and rationing under the Rationing Department. In 1946, however, the Civil Supplies and Rationing Departments were amalgamated and the new Department of Food and Civil Supplies was constituted under the charge of a Secretary to Government with two Commissioners, one known as Commissioner, Food, and the other as Commissioner, Rationing. In 1947, however, the posts of Secretary and the Commissioners were combined and since then Secretary to Government in the Food and Civil Supplies Department has also been the Commissioner, Food and Civil Supplies.<sup>27</sup>

8.10.2. Controls on production, supply, movement and distribution of various commodities were enforced originally under the provisions of the Defence of India Act and Rules of 1939, after it was declared on September 3, 1939 that the second World War had broken. The war had actually ended on October 24, 1945, but the Proclamation

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27. A whole-time Commissioner, Food and Civil Supplies, with powers of head of a department, was appointed with effect from April 20, 1967. This arrangement, however, lasted till August 8, 1967 only, when that office was again combined with that of Secretary to Government.

of Emergency was revoked by the then Governor-General on April 1, 1946, and the Defence of India Act and the Rules were again brought in force, which, under the provisions contained in the Proclamation, could continue in force up to six months only from the date of the revocation, i.e., up to September 30, 1946. Subsequently, control measures were enforced under the Essential Supplies (Temporary Powers) Ordinance, 1946 issued by the Government of India, which was replaced by the corresponding Central Act the same year; and under the U.P. Control of Supplies (Temporary Powers) Ordinance, 1946, which was replaced by an Act of the same name in 1947. The U.P. Control of Supplies (Continuance of Powers) Ordinance, 1948, later replaced by the Act of 1948 of the same name, increased further the life of the Act of 1947. Such measures for keeping control on essential supplies were continued to be taken subsequently too before and after Independence. While 'Price Control' figured from the very beginning in the Concurrent List in Seventh Schedule to the Constitution of India, thus enabling both the Centre and the States to take legislative measures in that behalf, trade and commerce in, and the production, supply and distribution of certain essential commodities like foodstuffs, cattle fodder, raw cotton, cotton seed, raw jute and the products of any industry within the country (or imported goods of the same kind), where the control of such industry by the Union was declared necessary by the Parliament in the public interest, were included in that list only in 1954, by the Constitution (Third Amendment) Act of that year; although, subject to these provisions, trade and commerce within the State and production, supply and distribution of all other goods were the subjects of State's jurisdiction under that Schedule. In 1955, the Government of India promulgated the Essential Commodities Ordinance, which was replaced the same year by an omnibus Essential Commodities Act, declaring certain commodities as "essential", such as cattle fodder including oil cakes and other concentrates, coal, component parts and accessories of automobiles; cotton and woollen textiles, foodstuffs including edible oil-seeds and oils, iron and steel including their manufactured products; paper including newsprint, paper board and straw board; petroleum and its products; raw cotton and cotton seed; raw jute, soap, cement, general lighting service lamps, fluorescent tubes, etc., (and any other class of commodity which may be declared as an essential commodity from time to time), on which the Government of India, or the State Government under their delegated powers, can impose restrictions regulating or prohibiting the production, supply and distribution thereof and trade and commerce therein, if such restrictions are considered necessary for maintaining or increasing supplies of such commodities or for securing their equitable distribution and availability at fair prices, by licencing the production or manufacture, controlling the buying and selling prices, regulating by licence or permits the storage, transport, distribution, disposal, acquisition, use or consumption of any essential commodity, or by taking all other suitable actions, including search of premises, vehicles, etc., and seizure of commodities in respect of which there is contravention of the respective Control Order(s) issued from



time to time by the Government of India or the State Government under the provisions of the Act. All such Control Orders are included in the list appearing at the end of this chapter.

8.10.3. The control of essential commodities from the very beginning embraced foodgrains, cloth, sugar, gur, iron and steel, cement, drugs, kerosene oil, etc. Those controls were retained even after independence as supplies were short and their distribution in suitable quantities at reasonable prices had to be assured to consumers in order to avoid economic and social breakdown. The food position in particular was alarming as local produce and imports were meagre compared to requirements. By 1947, the Rationing Scheme was extended to 71 towns of which 52 were totally rationed. In 1948, an experiment in de-control in foodgrains was tried, but it failed and controls were re-imposed. In June 1952, however, the Government of India decided upon the policy of gradual de-control, as a result of which procurement of foodgrains was given up. Food Rationing was also withdrawn by and by and on January 1, 1954, there was no Food Rationing in the State. With a view to stabilizing the prices of foodgrains their procurement by Government agency, however, continued so that their sale could be arranged at fixed rates through relief shops against identity cards. Controls of various degrees were also imposed from time to time on crystal sugar, *Khandsari* sugar and *gur*. They were withdrawn in 1961, when the supply position eased. Distribution price and movement controls on these items were re-enforced from 1963, under the Sugar Control Order, 1963, issued by the Government of India, the U.P. Sugar Control Order, 1963, the U.P. Gur (Movement Control) Order, 1963 and the U.P. Gur (Restrictions on Border Movement) Order, 1963. After the National Emergency created by Pakistan's aggression on India in 1965 and difficult food situation, total rationing was re-introduced in the city of Kanpur from February 16, 1966. After the situation had improved, it was withdrawn on January 16, 1968.

8.10.4. Controls on iron and steel, cement and coal were formerly administered by the Government of India, but in 1947 their administration was transferred to some extent to the State Government, with the appointment of a Provincial Iron and Steel Controller at Kanpur. He also acts as Provincial Cement Controller and Provincial Coal Controller, and is responsible for procurement and distribution of allotments made to the State by the Government of India or other bodies in respect of these commodities.<sup>28</sup>

8.10.5. Rent Control and allotment of houses was introduced during the War under the provisions of the Defence of India Rules. The U.P. (Temporary) Rent Control and Eviction Act was enforced

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28. The Director of Industries, U.P. has always functioned as the Provincial Iron and Steel Controller, U.P. also. With the transfer of work relating to Iron and Steel from this Department to the Industries Department (see foot note No. 29), the administrative control on the Provincial Iron and Steel Controller was also transferred to that Department. See also paragraph 8.8.10 in Chapter 8.8 on Industries Department.

in 1947, in order to control the rising rents of houses due to scarcity of accommodation. It has been modified and extended from time to time to meet changing conditions. At present, it is in force in all the towns, municipalities and notified areas of the State.

8.10.6. Quotas of salt allotted to U.P. by the Salt Commissioner, Government of India, are distributed amongst the districts under the U.P. Salt (Distribution and Movement) Control Order, 1956. Watch on the lifting of these quotas by salt distributors was kept till 1965, by an officer of the State Government at Sambhar. Subsequently, supplies of salt were arranged through the District Magistrates on a zonal basis, related to the quality of salt—iodized or otherwise—needed for a particular area, under a scheme of the Government of India. Similarly, price and distribution controls on kerosene, drugs, paper, jute, etc., is exercised under the U.P. Kerosene Control Order, 1962, Kerosene (Price Control) Order, 1963, Drugs (Display of Prices) Order, 1963, Essential Articles (Price Control) Order, 1963, and U.P. Uchit Mulya Grahana Adesh, 1963. The latter applies to numerous consumer goods.

8.10.7. The enactment of the Standards of Weights and Measures Act, 1956, by the Parliament provided for the establishment of a uniform metric system of weights and measures in India. The Constitution of India does not empower the Central Government to take any action for the actual enforcement of weights and measures in the States. That is the exclusive jurisdiction of the States under the Seventh Schedule of the Constitution of India. This State Government enacted the U.P. Weights and Measures (Enforcement) Act, 1959, and framed the U.P. Weights and Measures (Enforcement) Rules, 1960 under it for the purpose. The use of metric weights, metric length measures and metric capacity measures has been made compulsory in the State with effect from April 1, 1962, October 1, 1962 and April 1, 1963 respectively. The use of any other units in transactions for trade and commerce is unlawful and punishable with fine or imprisonment or with both.

8.10.8. The Department is headed by the Minister for Food and Civil Supplies. The Secretariat, which also combines in it the office of the Commissioner, consists of:

1. Commissioner and Secretary, Food and Civil Supplies and Chief Welfare Officer for State Employees. . . 1
2. Joint Secretary, Food and Civil Supplies and Additional Commissioner, Food and Civil Supplies, U.P. . . 2
3. Deputy Commissioner, Food and Civil Supplies-cum-Deputy Secretary. . . 1
4. Deputy Secretary. . . 1
5. Assistant Secretary. . . 1

- |   |      |
|---|------|
| 6. Senior Accounts Officer (Headquarters)   | .. 1 |
| 7. Provincial Marketing Officer (Foodgrains), U.P.<br>and <i>ex-officio</i> Under Secretary | .. 1 |
| 8. Superintendents.   | .. 8 |

8.10.9. The matters dealt with in the various sections of the Department are:

*Food and Civil Supplies (A-I) Department*

Foodgrains procurement, import and export.

*Food and Civil Supplies (A-II) Department*

Foodgrains rationing and distribution.

*Food and Civil Supplies (B-I) Department*

Control on supplies and on distribution of cement, kerosene, drugs, sugar, khandsari sugar, gur, salt, and skimmed milk, distribution of free gifts received from U.S.A. under the Indo-U.S. Agreement; Jute industry; Standing Committee of Legislature on Food and Civil Supplies and Annual Administration Report.

*Food and Civil Supplies (B-II) Department*

Control on supplies and prices and on distribution of dust or slack coal used for burning bricks, fuel-wood, hard and soft coke for domestic consumption, steam coal for industrial purposes and cotton textile.<sup>29</sup>

*Food and Civil Supplies (C-I) Department*

All establishment matters relating to the officers and staff of the Food and Civil Supplies, Marketing and Weights and Measures Organizations.

*Food and Civil Supplies (C-II) Department*

Matters relating to budgeting and control of expenditure connected with Supply work, foodgrain storage, Staff Welfare Board and U.P. Government Employees Welfare Corporation.

*Food and Civil Supplies (D) Department*

Licensing of foodgrain dealers, rice and flour mills and restrictions on movement of foodgrains, regulation of markets dealing in agricultural produce, Metric Weights and Measures, subsidiary food, forward transactions in foodgrains and legislation in respect of foodgrains.

*Rent Control Department*

Administration of U.P. (Temporary) Control of Rent and Evic-

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29. The work relating to Iron and Steel was transferred from here to Industries (A) Department with effect from August 1, 1969; while the book was in the press.

tion Act, 1947 and U.P. (Temporary) Accommodation Requisition Act, 1947.

8.10.10. This Department took over from the General Administration Department in June, 1966, the work relating to promotion of welfare activities of government servants and their families, funds for which are operated by the Chief Welfare Officer to Government. With a view to supplying essential commodities to State Government employees on reasonable rates, the Government established the U.P. Government Employees Welfare Corporation in May, 1965. The Corporation is managed by a Board of Directors, of which the Chief Secretary to Government is the Chairman. The Chief Welfare Officer is the Executive Director of the Corporation. A Welfare Directorate supervises the working of the Corporation through a Deputy Director and an Accounts Officer. The Corporation has established shops in important towns of the State. They deal with cloth and general merchandise goods which are sold on no-profit-no-loss basis.

8.10.11. *Commissioner, Food and Civil Supplies, U.P.*: The food procurement, storage and issue wing of the Department works under the Commissioner, Food and Civil Supplies, at the State level assisted by (1) a Provincial Marketing Officer (Foodgrains) who is technical adviser at the headquarters in regard to procurement, storage, preservation and distribution of foodgrains and work connected with the scheme of State Trading in foodgrains and (2) a Senior Accounts Officer, who advises on matters relating to finance and accounts. These functions in the field are looked after by Regional Food Controllers at Lucknow, Kanpur, Meerut and Gorakhpur with Sub-Regional Offices under Deputy Regional Food Controllers at Bareilly, Jhansi, Agra and Varanasi respectively. They are assisted in technical matters of procurement, storage, distribution, etc., by the Regional Marketing Officers and in financial and accounts matters by the Regional Accounts Officers. For the enforcement of the scheme in the Regions, Regional Food Controllers have been provided with gazetted and non-gazetted marketing staff. These are Deputy Regional Marketing Officers, Assistant Regional Food Controllers, Senior Marketing Inspectors, Marketing Inspectors, Clerks, and Kamdars according to requirement and accounts staff comprising of Assistant Regional Accounts Officer, Chief Accountant, Accounts Clerks, etc., in connection with the enforcement of various control orders, procurement of foodgrains, storage, movement and issue to retail shops. Each Regional Food Controller is required to build up sufficient buffer stocks at important storage points in the Region to meet requirements of fair price shops during off season in order to make foodgrains available at cheap rates. For building up buffer stocks, rice of different varieties is purchased under the State Trading Scheme on a levy system from licensed foodgrain dealers and rice mills in the State at the maximum wholesale prices fixed by the Government. Requirements of wheat are at present met direct through the Government of India. For the improvement of State Trading Scheme, daily rates and arrivals are collected from important surplus and consuming centres and compil-

ed weekly and fortnightly in the office of the Provincial Marketing Officer (Foodgrains). In order to discourage hoarding and to improve availability of foodgrains, every foodgrain dealer selling or keeping or storing for sale 50 maunds or more of foodgrains at any one time is required to take licence under the U.P. Foodgrain Dealers Licensing Order, 1959.

8.10.12. *District Supply Officers and Town Rationing Officers.* These officers work under District Magistrates and are in charge of work connected with the proper distribution of foodgrains, other controlled commodities and any scheme taken up by the Food and Civil Supplies Organization. They are assisted by Area Rationing Officers and inspecting staff in the discharge of their duties. These officers also look after the work connected with housing accommodation and enforce the provisions of the U.P. (Temporary) Control of Rent and Eviction Act, 1947, except where whole-time Rent Control and Eviction Officers are posted for the purpose, such as at Agra, Allahabad, Lucknow, Varanasi, etc.

8.10.13. *Controller of Weights and Measures, U.P., Lucknow.* The Controller, Weights and Measures, who is also Additional Commissioner, Food and Civil Supplies, U.P. maintains a separate office for enforcement of the statutory provisions in respect of Weights and Measures. Regional Food Controllers are *ex-officio* Deputy Controllers of Weights and Measures but a whole-time Deputy Controller is posted at Lucknow. Whole-time Assistant Controllers have also been posted at numerous places.

8.10.14. *Director of Movements.* The movement of building materials has an important place in the present day developmental activities. Formerly the Planning Department was looking after the efficient and speedy movement of such essential supplies as iron and steel, cement, coal, etc. For this purpose the Development Commissioner was assisted by a whole-time officer who was designated as O.S.D. (Movements). The post was first created in 1952, when the services of an officer of railways were obtained on deputation for being posted as Officer on Special Duty in the Planning Department. The post was subsequently upgraded to that of Director of Movements. Since April, 1964, the Director of Movements and his staff work under the control of Secretary, Food and Civil Supplies Department. The Director collects the requirements of iron and steel, cement, coal, etc., from the various departments and arranges for their speedy movement from suppliers. He maintains liaison with the Railways, Iron and Steel Controller, National Coal Development Corporation and other similar organizations.

8.10.15. A Standing Committee of Legislature on Food and Civil Supplies, with Minister for Food and Civil Supplies as Chairman, advises the Government from time to time in matters concerning the Department. Occasional meetings of Regional Food Controllers and Informal Advisory Committee of the Food Corporation of India are also held.



## List of Acts, Rules, etc. relating to F. &amp; C. S. Department

<i>Sl. No.</i>	<i>Name of Act, Rule or Control Order</i>	<i>Year</i>	<i>Authority under which framed or enacted</i>
1	2	3	4
<b>Acts</b>			
1.	The U.P. (Temporary) Control of Rent and Eviction Act	1947	State Government
2.	The U.P. (Temporary) Accommodation Requisition Act	1947	"
3.	The U.P. Storage Requisition Act	1955	"
4.	Kumaon Animal Transport Control Act	1947	"
5.	The Forward Contracts (Regulation) Act	1952	Government of India
6.	The Essential Commodities Act	1955	"
7.	The Standards of Weights & Measures Act	1956	"
8.	The Rice-Milling Industry (Regulation) Act	1958	"
9.	The U.P. Weights & Measures (Enforcement) Act	1959	State Government
10.	The Food Corporation of India Act	1964	Government of India
<b>Control Orders and Rules</b>			
1.	U.P. Cement Control Order	1955	State Government.
2.	U.P. Bricks Control Order	1956	"
3.	Iron and Steel Control Order	1956	Government of India
4.	U.P. Salt (Distribution & Movement) Control Order	1956	State Government
5.	Inter-Zonal Wheat Movement Control Order	1957	Government of India
6.	U.P. Foodgrains (Movement Control) Order	1958	"
7.	U.P. Paddy and Rice (Restriction on Movement) Order	1958	"
8.	Imported Foodgrains (Prohibition of Unauthorised Sale) Order	1958	"
9.	U.P. Coal Control Order	1959	State Government
10.	U.P. Foodgrains (Restriction on Border Movement) Order	1959	Government of India
11.	Rice (U.P.) Price Control Order	1959	"
12.	Rice Milling Industry (Regulation and Licensing) Rules	1959	"
13.	Wheat Roller Flour Mills (Licensing and Control) Order	1957	"
14.	Indian Maize (Prohibition of use in Manufacture of Starch) Order	1959	"



1	2	3	4
15.	U.P. Roller Mills (Regulation of Use of Wheat) Order	1959	Government of India
16.	Rice (Restriction on Rail Booking) Order	1957	"
17.	U.P. Foodgrains Dealers Licensing Order	1959	State Government
18.	U.P. Rice Procurement (Levy) Order	1959	"
19.	The Jute (Licensing & Control) Order	1961	"
20.	The U.P. Kerosene Control Order	1962	"
21.	The Kerosene (Price Control) Order	1963	Government of India
22.	The Drugs (Display of Prices) Order	1962	"
23.	The Essential Articles (Price Control) Order	1963	"
24.	The U.P. Uchit Mulya Grahana Adesh	1963	State Government
25.	The U.P. Sugar and Gur Dealers Licensing Order	1962	"
26.	The Sugar Control Order	1963	Government of India
27.	The U.P. Sugar Control Order	1963	State Government
28.	U.P. Gur (Movement Control) Order	1963	"
29.	U.P. Gur (Restrictions on Border Movement) Order	1963	"
30.	U.P. (Guest Control) Order	1964	"
31.	The Uttar Pradesh Foodgrains Dealers Licensing Order	1964	State Government
32.	The Uttar Pradesh Sugar (Control) Order	1966	"
33.	The Uttar Pradesh Uchit Mulya Tatha Vitaran (Khadya) Adesh	1966	"
34.	The Uttar Pradesh Uchit Mulya Tatha Vitaran (Rasad) Adesh	1966	"
35.	The Uttar Pradesh Cement Order	1966	"
36.	The Uttar Pradesh Foodgrains Requisitioning Order	1966	"
37.	The Uttar Pradesh Coarse Foodgrains (Movement Control) Order	1966	"
38.	The Uttar Pradesh Foodgrains (Restriction on Hoarding) Order	1966	"
39.	The Uttar Pradesh Rice (Levy) Order	1966	"
40.	The Uttar Pradesh Essential Commodities Rationing Order	1966	"
41.	The Uttar Pradesh Foodgrains Distribution Order	1966	"
42.	The Uttar Pradesh Flour Mills Licensing Order	1966	"
43.	The Uttar Pradesh Oilseeds and Oil Seed Products Control Order	1966	"

1	2	3	4
44.	The Uttar Pradesh Foodgrains (Restriction on Consumption) Order	1966	State Government
45.	The Uttar Pradesh Rab (Movement Control) Order	1967	"
46.	The Uttar Pradesh Wheat Products Control and Distribution Order	1967	"
47.	The Uttar Pradesh Paddy and Rice (Restriction on Movement) Order	1967	"
48.	The Uttar Pradesh Procurement (Levy on Producers) Order	1967	"
49.	The Inter-Zonal Wheat and Wheat Products Control Order	1964	Government of India
50.	The Sugar (Control) Order	1966	"
51.	The Petroleum Products (Supply and Distribution) Order	1966	"
52.	The Kerosene (Restriction on Use) Order	1966	"
53.	The Drugs Prices (Display and Control) Order	1966	"
54.	The Kerosene (Fixation of Ceiling Prices) Order	1966	"
55.	Northern Inter-zonal Gram Movement Control Order	1967	"
56.	U.P. Foodgrains Movement (Exemption to Food Corporation of India) Order	1966	State Government
57.	The Roller Flour Mills Wheat Products Price Control Order	1966	Government of India
58.	Foodgrains Movement (Exemption of Certified Seeds) Order	1966	"
59.	The Foodgrains (Prohibition of Use in Manufacture of Starch) Order	1966	"
60.	The Solvent Extracted Oil, De-Oiled Meal and Edible Flour Control Order	1967	"
61.	U.P. Rice and Paddy (Levy) Order	1968	State Government
62.	Inter-zonal Wheat and Wheat Products (Movement Control) Order	1969	Government of India
63.	U.P. Foodgrains (Restriction on Border Movement) Order	1969	State Government

## Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Activities of the Food and Civil Supplies Department	April-March	1946	Commissioner, Food and Civil Supplies, U.P.

## 8.11. FOREST DEPARTMENT

8.11.1. Forests play a vital protective and productive role in the welfare and health of a country. While their productive functions are obvious inasmuch as they supply such basic needs of man as firewood and timber and many of his sophisticated needs such as pulp and paper, rayon, match wood, gums and resins, their protective functions are not, by and large, so well recognised. It is only in recent years after the sad experience of some countries that attention has been focussed on the invaluable protective influence which forests exercise on soil and water, the twin constituents of nature which are of prime importance to human life. Forests being vital for the very existence of the community, cannot be left to the caprice of haphazard individual control, particularly when replacement of trees is a long drawn out process. A cut over and destroyed forest can be replaced only after a hundred years or so, and mistake once made cannot be corrected till its dire consequences have had their effect on several generations. Forests have, therefore, to be taken away from individual control and brought under the control of the State; and since they were to be managed in such a way as to go on catering to our needs and those of posterity, a definite policy of management and a specialised agency to give effect to that policy is called for. It was with this objective of scientific management that the Forest Department was created.

8.11.2. Forest conservation started in the State in the year 1861 with the appointment of the first Conservator of Forests of the Avadh Circle. The first Forest legislation dates back to the year 1865. This was replaced by the Forest Act of 1878. Forest settlement operations, along with survey and demarcation of forests, were carried out all over the country under this Act and the scale of rights and concessions admissible to local residents claiming a right in forests were defined and fixed. The Act was replaced by the Indian Forest Act, 1927, which, with various modifications made in it from time to time, now governs the forests of the State. In 1948, the Private Forest Act was passed in order to control reckless fellings and wholesale clearances occurring in extensive private forests and groves. The Zamindari Abolition and Land Reforms Act, 1952, abolished all private forests and these became vested in the Government under the management of the Forest Department or Gaon Samajs. Felling of trees in groves continues, however, to be regulated by this Act.

8.11.3. Starting with one Circle the Forest Department expanded rapidly with the addition of a second, North West Circle in 1868, and the third Hill Circle in 1878. The latter Circle also looked after the training of lower ranks of the Department. In 1905, the three Circles were reorganized to form the Eastern and the Western Circles. The post of the Chief Conservator of Forests was created in 1915, and a third Kumaon Circle was added in 1916. From 1861 to 1916 work handled by the Department was related to survey, demarcation, set-

tlement of rights and concessions and enumeration and classification of main species of forest vegetation. A Utilization Circle was also created in 1919, to look after the proper utilization of available forest resources. Even at that early stage it was recognised that for proper and scientific management of the vast forest wealth of the State, it was essential to adopt certain recognised principles of forest management. This required the knowledge of some basic aspects of growth, habits, and environment of various constituents that formed the forest complex. A Working Plan and Research Circle was created in 1920 and this was the first Circle of its kind to be created in any State. The Utilization Circle, however, closed down in 1925 but was revived again in 1941. In 1942, a Fuel and Transport Circle was created, for arranging supplies of large quantities of timber for defence needs. At the close of the War, both these Circles were abolished,—the Fuel and Transport Circle in 1945, and the Utilization Circle in 1948.

8.11.4. The work of soil conservation in ravine lands by afforestation was started in Etawah in 1913. During subsequent years this was extended to other districts to include the formation of firewood and fodder reserves and to undertake canal side and roadside plantations. The extent and nature of work necessitated the formation of a separate Circle called the Land Management Circle in 1945, with separate Forest Divisions.

8.11.5. Due to the merger of the former princely States and the abolition of *Zamindari*, many new Forest Divisions were added to the charge of the Department. The Tehri-Garhwal Circle was formed in 1949, and the old Eastern Circle was split in 1956 into two Circles—the Eastern and the Southern—to cope with the increased work due to the creation of new Forest Divisions of Varanasi, Son and Banda from 1948 to 1952. The Five Year Plans increased the work of the Department and a separate headquarters Circle was created in 1956. With the enlarging of research activities in the State, an additional Working Plan and Research Circle was created in 1961. A reorganization of this Department was taken up in 1964 under a scheme known as 'Intensification of Forest Management', details of which are given in subsequent portions of this chapter dealing with the organization under the Chief Conservator of Forests.

8.11.6. All higher posts of the Department were used to be manned by the Imperial Forest Service officers until 1861, when the Provincial Forest Service was created. Recruitment to this Service was made only through promotions from lower ranks of the Department. In 1912, the Provincial Service was opened to direct recruits as well. The training of personnel was imparted at the Forest Research Institute and Colleges at Dehra Dun. From 1927, training to the I.F.S. was also given at Dehra Dun, but the service was abolished after its last batch was trained in 1932. The Indian Forest Service was, however, reconstituted under the All India Services Act, 1951, with effect from July 1, 1966. Training to the lower ranks of the Department, *viz.*, Rangers is imparted at the Northern Forest Rangers'

College, Dehra Dun and the Southern Forest Rangers' College, Coimbatore. Both the P.F.S. and Rangers' Colleges are under the control of the Government of India. Training facilities to Foresters and Forest Guards are provided in the training establishments run by the State Forest Department.

8.11.7. After independence it was considered necessary to revise some old concepts with a view to better appreciation of the role of forests and the increased burden cast on them by a developing economy and growing population. A new National Forest Policy was accordingly adopted in 1952, under Government of India Resolution dated May 12, 1952 on the basis of the following six paramount needs of the country:

- (1) The need for evolving a system of balanced and complementary land-use under which each type of land is allotted to that form of use under which it would produce most and deteriorate least.
- (2) The need for checking—
  - (a) denudation in mountaneous regions, on which depends the perennial water supply of the river system whose basins constitute the fertile core of the country;
  - (b) the erosion progressing apace along the treeless banks of the great rivers leading to ravine formation and on vast stretches of undulating waste lands depriving the adjoining fields of their fertility.
  - (c) the invasion of sea sands on coastal tracts and the shifting of sand dunes, more particularly in the Rajasthan desert.
- (3) The need for establishing tree-lands wherever possible for the amelioration of physical and climatic conditions, promoting the general well-being of the people.
- (4) The need for ensuring progressively increasing supplies of grazing, small wood for agricultural implements and in particular of firewood to release the cattle dung for manure to step up food production.
- (5) The need for sustained supply of timber and other forest produce required for defence, communication and industry.
- (6) The need for the realisation of the maximum annual revenue in perpetuity consistent with the needs enumerated above.

These vital needs indicate the functions forests are to fulfil and provide the fundamental basis of the policy governing their future and although the State Government's discretion in the matter of regulating the administration of forests is unfettered, they are guided by these general principles.

8.11.8. Since there must be continuity in the management of

forests and the effects of any method of treatment are to be carefully watched and its record kept, all forests under the State control are managed according to working plans or working schemes which are drawn up for a period of ten to fifteen years. The drawing up of the working plans is the responsibility of the Working Plan Circle and the regulations and implementation of the Plans are carried out in the field under the supervision of territorial staff. Some of the basic objects of management, usually provided in the working plans, are:—

- (1) to meet the requirements of the local population for timber, firewood, other forest produce and grazing;
- (2) to attain as far as possible the normal forest by establishing the most valuable species silviculturally suited to different areas;
- (3) to stock with species of industrial importance the understocked and inferiorly stocked areas;
- (4) to meet the general demands of market; and
- (5) consistent with the above, to obtain the maximum and regular yield of timber, firewood and other marketable forest produce and thus to realise the maximum possible sustained annual revenue.

The first and the foremost object of management of a forest is its preservation and constant improvement and not the realisation of yield and revenue. Financial considerations have been subordinate to those of maintaining and improving the condition of forests.

8.11.9. For purposes of control, all forests have been legally defined as Reserved Forests or as Protected Forests under the Indian Forest Act. The difference between a Reserved Forest and a Protected Forest may be broadly defined as, whereas in a reserved forest every act which is not specifically permitted is an offence, in the latter nothing is an offence unless it is prohibited. In other words, while there is rigorous control over reserved forests, the control over protected forest is very nominal. There are also some unclassed forests. These are the newly vested areas in which settlement operations are in progress prior to their declaration as reserved or protected forests. The approximate area of the various classes of forests under control of the Department on April 1, 1967 was:

	<i>Sq. Km.</i>
Reserved Forests ..	30,433
Protected Forests ..	774
Unclassed Forests ..	8,111
..	<hr/> 39,318

8.11.10. The Secretariat staff consists of:

Secretary, Forests ..	1
Under or Assistant Secretary ..	2
Superintendent ..	2



The Secretariat Department consists of two sections, each dealing with the subjects, as below:

(a) *Forest (A) Department*

Establishment of the Forest Department; Forest legislation, Wild Life, tourism, sanctuaries, log cabins, etc.; Hunting, shooting and fishing rules; Forest Standing Committee; Central Board of Forestry; Land Management Board; Railway sleeper supply and Fuel Control Schemes; Forests Training Classes; Working plans and researches; Forest Rest Houses, Forest Roads and Bridges, Logging operations and equipment, Timber Transit Rules, Annual Administration Report; Forest offences, Felling licenses and permits in private forests; Forest Utilization Board, Forest Manual and other publications, and Prince of Wales Zoological Gardens, Lucknow. The last was transferred to it from Public Health Department with effect from February 25, 1966.

*Forest (B) Department*

Sale and supply of forest produce, supply of seeds and plants; management of private forests and waste lands, Sale Rules committee, leases and transfers of forest lands; fuel and fodder reserve; free grant of timber and other forest produce; illicit fellings; Forest Pan-chayats, grazing in forests, Van Mahotsava, Forest Villages; Canal plantations, roadside avenues and plantations on railway land; soil conservation and flood control schemes; Forest settlement operations; constitution of reserved forests and forest budget.

### THE CHIEF CONSERVATOR OF FORESTS, U.P.

8.11.11. The Chief Conservator of Forests, who is head of the Department, has his head office at Lucknow since 1964. Formerly, it was at Nainital, but since 1958, he stayed mainly at Lucknow, where he maintained a camp office set up owing to the necessity of maintaining close contact with the State Government and the heavy responsibilities resulting from development activities. The Chief Conservator of Forests is assisted at his headquarters by a Personal Assistant of the rank of Deputy Conservator of Forests. Some of the main functions of the Chief Conservator are:

- (1) to act as technical adviser to the State Government on all matters connected with forests;
- (2) to control and direct research, working plans, and other administrative and professional matters, including inspection of forests; and
- (3) to control all systems of sale, arrange for indents and supplies to other Departments such as Railways, Ordnance Factories, Director-General of Supplies and Disposals, etc.

An Internal Audit Section was created at the headquarters in 1961 for the purpose of carrying out periodical audit of Divisional and Circle offices for pointing out any procedural and accounting irregularities or difficulties and suggesting remedial measures. The Section which

works directly under the Chief Conservator, is headed by an Accounts Officer, who also looks after the departmental budget objections raised by Accountant General and Public Accounts Committee, financial sanctions, pensions, gratuity and other allied matters.

8.11.12. Formerly, the Chief Conservator of Forests was also dealing directly with the Wild Life Preservation Organization as also with the work connected with the Forest Utilisation Division under a Deputy Conservator of Forests, designated as Forest Utilisation Officer with headquarters at Nainital. Some of the functions of that Division were:

- (i) Arranging supplies of sleepers of standard specifications to Railways and various categories of timber to the Director-General of Supplies and Disposals, New Delhi, including maintenance of liaison with the Railways and removal of any transport bottlenecks.
- (ii) Collection of statistics relating to utilisation of timber and other produce such as number and capacity of various plywood, paper, *kattha*, and match factories, number and capacity of preservative treatment plants and the like, and attending to all enquiries of timber industry.
- (iii) Study of market rates and timber utilisation trends.
- (iv) Study and investigation of demand of minor forest produce for use by local industry and for export.

Although there was a Conservator of Forests, Headquarters, who, along with supervision over two territorial Forest Divisions and a Publicity Organization under him, also dealt directly with the Government on all matters connected with Five Year Plans, Forest Settlement, audit reports, transfer of land, stores, tools and plants, collection of statistics concerning the Department and compilation of annual progress report, the Chief Conservator had multifarious duties to perform which left little time with him to look after the developmental activities of the Department. A reorganization of the Department was, therefore, taken up in the year 1964 under the scheme known as "Intensification of Forest Management". Two posts of Deputy Chief Conservator of Forests, one for Planning and Development with headquarters at Lucknow and the other for Forest Management with headquarters at Nainital were created. Each of them was provided assistance of Personal Assistant of the rank of a Deputy Conservator of Forests. Three Circles and eleven Divisions were also added to the Organization, out of which two Circles and nine Divisions were subsequently abolished in November, 1965 as a measure of economy. The Scheme envisaged:

- (i) conversion of low value natural forests into quick growing high yielding crops;
- (ii) enhancement of productivity of forests through frequent and intensive tending operations; and
- (iii) development of communications.

The Wild Life Preservation Organization as also the Publicity Organization with a Deputy Conservator of Forests known as Forest Extension Officer, were placed under the Deputy Chief Conservator of Forests (Planning). The Utilisation Division was split into two divisions—(i) Timber Supply Division at Nainital under the Deputy Chief Conservator of Forests (Management) and (ii) Utilisation Division under the charge of an Assistant Conservator of Forests with headquarters at Lucknow under the Conservator of Forests, Research and Development Circle.

### FOREST CIRCLES, DIVISIONS AND RANGES

8.11.13. The two Deputy Chief Conservators of Forests and ten Conservators of Forests in charge of Circles, have under them various territorial, functional, research, working plan and training Forest Divisions, as below, each under the charge of a Deputy Conservator of Forests:

	<i>Divisions</i>
1. Dy. Chief Conservator of Forests (Planning), Lucknow.	1. Forest Extension Division, Lucknow. 2. Wild Life Preservation Organization under the charge of Chief Wild Life Warden, U.P., Lucknow.
2. Dy. Chief Conservator of Forests (Management), Nainital.	1. Timber Supply Division, Nainital. 2. Foresters Training Division, I, Haldwani. 3. Foresters Training Division, II, Haldwani.
3. Conservator of Forests, Eastern Circle, Gorakhpur.	1. South Gonda Division, Gonda. 2. North Gonda Division, Gonda. 3. Bahraich Division, Bahraich. 4. Gorakhpur Division, Gorakhpur.
4. Conservator of Forests, Central Circle, Lakhimpur, Kheri.	1. Pilibhit Division, Pilibhit. 2. South Kheri Division, Kheri-Lakhimpur. 3. North Kheri Division, Kheri-Lakhimpur. 4. Kheri Plantation Division, Kheri-Lakhimpur. 5. Pilibhit Plantation Division, Pilibhit.
5. Conservator of Forests, Western Circle, Naini Tal.	1. Ramnagar Division, Ramnagar, district Naini Tal.

*Divisions*

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|   | 2. Haldwani Division, Haldwani, Naini Tal.  |
|   | 3. Tarai & Bhabhar Division, Haldwani.  |
|   | 4. Ramnagar Plantation Division, Ramnagar, Naini Tal.                                 |
|   | 5. Kalagarh Division, Lansdowne.  |
|   | 6. Haldwani Plantation Division, Haldwani.  |
| 6. Conservator of Forests, Shiwalik Circle, Dehra Dun.      | 1. Shiwalik Division, Dehra Dun.  |
|   | 2. West Dehra Dun Division, Dehra Dun.  |
|   | 3. East Dehra Dun Division, Dehra Dun.  |
|   | 4. Lansdowne Division, Lansdowne.   |
|   | 5. Bijnor Plantation Division, Kotdwara.  |
| 7. Conservator of Forests, Kumaon Circle, Naini Tal.        | 1. West Almora Division, Almora.  |
|   | 2. East Almora Division, Almora.  |
|   | 3. Pithoragarh Division, Pithoragarh.   |
|   | 4. Naini Tal Division, Naini Tal.   |
|   | 5. Soil Conservation Division, Ranikhet.  |
|   | 6. South Garhwal Division, Pauri.   |
|   | 7. North Garhwal Division, Pauri.   |
|   | 8. Class I Forest Division, Chamoli.  |
| 8. Conservator of Forests, Tehri Garhwal Circle, Dehra Dun. | 1. Chakrata Division, Chakrata.   |
|   | 2. Tehri Division, Tehri.   |
|   | 3. Tons Division, Chakrata.   |
|   | 4. Yamuna Division, Mussoorie.  |
|   | 5. Uttarkashi Division, Uttarkashi.   |
|   | 6. Logging Unit, Uttarkashi, under the charge of an Assistant Conservator of Forests. |
| 9. Conservator of Forests, Southern Circle, Allahabad.      | 1. Bundelkhand Division, Jhansi.  |
|   | 2. Banda Division, Banda.   |
|   | 3. Dudhi Division, Mirzapur.  |
|   | 4. North Mirzapur Division, Mirzapur.   |
|   | 5. Varanasi Division, Ramnagar, Varanasi.   |
|   | 6. Bundelkhand Soil Conservation Division, Orai.                                      |

*Divisions*

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|   | 7. Mirzapur Plantation Division,<br>Mirzapur.  |
| 10. Conservator of Forests,<br>Extension Circle, Clutter-<br>Buckganj (Bareilly). | 1. Vrajabhumi Division, Agra.<br>2. Northern Doab Division,<br>Meerut.<br>3. Southern Doab Division,<br>Etawah.<br>4. Rohilkhand Division, Bareilly.<br>5. Ravine Reclamation Division,<br>Agra.   |
| 11. Conservator of Forests,<br>Research & Development<br>Circle, Lucknow.         | 1. Avadh Division, Lucknow.<br>2. Afforestation Division, Faiza-<br>bad.<br>3. Silviculture (Sal) Division I,<br>Naini Tal.<br>4. Silviculture (Hill) Division II,<br>Naini Tal.<br>5. Resources Survey Division,<br>Lucknow.<br>6. Forest Utilization Division,<br>Lucknow (under the charge of<br>an Assistant Conservator of<br>Forests).   |
| 12. Conservator of Forests,<br>Working Plan Circle,<br>Naini Tal. <sup>30</sup>   | 1. Naini Tal Working Plan Divi-<br>sion, Naini Tal.<br>2. Yamuna Working Plan Divi-<br>sion, Mussoorie.<br>3. Ramnagar Working Plan Divi-<br>sion, Ramnagar, District Naini<br>Tal.<br>4. Shiwalik Working Plan Divi-<br>sion, Dehra Dun.<br>5. Dehra Dun Working Plan Divi-<br>sion, Dehra Dun.<br>6. North Gonda Working Plan<br>Division, Gonda.<br>7. Pithoragarh Working Plan<br>Division, Pithoragarh. |

8.11.14. Like Chief Conservator and Deputy Chief Conservators of Forests, a Conservator of Forests also exercises powers of a head of department and corresponds with the Government directly on all

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30. On completion of working plans, which takes normally a period of two years each, a Working Plan Division is disbanded and new working plans of other Divisions are taken up. In 1969, after the work in the Divisions mentioned in the text above was over, the new Divisions in hand were the South Kheri, Bijnor, Pilibhit, South Gonda, East Almora, Kalagarh and Aghori Working Plan Divisions.

matters which concern his Circle exclusively; but where any particular matter is likely to affect other Circles or the State as a whole, he has to move through the Chief Conservator of Forests. He makes frequent tours of inspection in the Divisions under his charge. He organises and controls all sales of forest produce. During his inspection of Divisions, he makes special notes of the following:

- (a) result of working under the working plans in force;
- (b) state of maintenance of roads, buildings, forest boundaries, etc., and new works;
- (c) general discipline and state of efficiency of divisional officers;
- (d) condition of forests, methods of treatment employed, forest offences and their causes, rights and concessions, enforcement of shooting rules, etc.; and
- (e) development of forests as a national asset to the best possible advantage of the State and the local population.

He has all the legal powers of a forest officer under the Indian Forest Act. The Conservators of Forests, Working Plans and Research Circles, are responsible for drawing up research programme, control, preparation and revision of working plans and forest resources survey work.

8.11.15. A Deputy Conservator of Forest is in charge of a Division and is called the Divisional Forest Officer in the case of a territorial Division or the Working Plan Officer in the case of a Working Plan Division. He is primarily responsible for executing the working plan and giving effect to various orders and directions issued by the Conservator of Forests. He holds the sales of all forest produce and supervises personally all marking and fellings and other forest operations.<sup>31</sup> He wields various powers under the Indian Forest Act, such as arresting and apprehending of offenders, recording evidence, issuing of summons for attending enquiries in forest offences and issuing of search warrants. He has also the power to compound offences and to impose fines up to Rs. 50 in each offence under the Forest Act. He is the appointing authority in respect of Forest Guards and all subordinates below this rank and orders transfers of subordinates within his division. In his work, the Divisional Forest Officer is assisted, where necessary, by an Assistant Conservator of Forests, who carries out all or any administrative duties assigned to him by the Divisional Forest Officer. The Divisional Forest Officer has to follow the working plan rigidly and he has to obtain advance sanctions from the Conservator of Working Plans for all deviations

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31. A Forest Division generally has no relation with Village Panchayats but resin tapping work of the *Chir* forests belonging to Forest Panchayats is done under the guidance of the Deputy Conservator of Forests. The local forest officer is required to obtain the consent of the village panchayats concerned before raising plantations near a village. The villagers are also expected to extinguish fire in forests.



from the Plan. Important and bigger territorial Divisions have one or more Sub-Divisions, each under the charge of an Assistant Conservator of Forests, designated as Sub-Divisional Forest Officer. A Deputy Conservator of Forests in-charge of Research Division is designated as Silviculturist. He is responsible for collection of all research data and giving effect to the research programmes approved or initiated by the Conservator of Working Plans. He draws up research reports, attends technical conferences and advises Divisional Forest Officers on all matters relating to forestry. He also arranges for supply of seed to divisions for their plantation programmes. He is assisted by an Assistant Silviculturist who helps in laying out research plots, and collecting field data. The Silviculturist also advises the Working Plan Officers in prescribing suitable silvicultural practices for management of forests. He maintains close contact with the Silviculturists of other States and with the Central Silviculturist at the Forest Research Institute, Dehra Dun. In the sphere of administration, he enjoys all the powers of a Divisional Forest Officer.

8.11.16. A Division is sub-divided into Ranges, each under the charge of a Range Officer, who is the principal agency through whom the Division is managed. Markings for annual sales, are carried out by him and he apprehends offenders, aligns roads, draws up building plans and estimates, inspects felling lots of forest contractors and reports to the Divisional Forest Officer about all offences committed within his range. His powers include arrest of offenders and acceptance of bail, but he cannot compound offences, though he can seize tools used in the commission of forest offences; all forest produce in transit through the forest may be checked by him. The proper and smooth administration of a Division depends to a very large extent on the efficiency and zeal of the Forest Ranger who is the real backbone of forest administration. He has always to keep alert and has to tour intensively within his Range to ensure the safety of forest wealth which is scattered over several hundred miles. In his work the Range Officer is assisted by Deputy Rangers and Foresters attached to the Range, who are incharge of Forest Sections into which a Range is usually sub-divided for administrative convenience.

8.11.17. A beat is the smallest administrative unit under the charge of a Forest Guard, who is the lowest executive official of the Department. He patrols his beat regularly to detect any illegal act like fellings, illicit shooting, setting forest fires, illicit grazing and all other acts prohibited under the Forest Act or under any of the orders of his superiors. He is empowered to apprehend and arrest offenders. He checks forest boundaries, and reports on encroachments. When required, he also carries out silvicultural operations relating to culture and tending in regeneration areas. A Forest Guard is fully responsible for the protection of forests in his beat.

8.11.18. *Forest Dispensaries.* Since most of the forest staff is posted in the interior of forests where medical facilities are not readily available, the Department maintains three dispensaries, one each in the forest divisions of Gorakhpur, North Kheri and Ramnagar.

The medical officer incharge of the dispensary is an officer of the P.M.S. on deputation from the Medical Department.

8.11.19. *Relations with the District Officers.* The position of a Divisional Forest Officer is subordinate to that of the District Officer. The latter, however, cannot interfere with the administration of forests and cannot issue direct orders to the Divisional Forest Officer. Where, however, he wishes to offer any suggestions concerning forests, he does so through the Conservator of Forests. In any matter in which there is a difference of opinion between the Conservator and the District Officer, the Commissioner takes up the matter with the Chief Conservator of Forests for settlement. In case of difference between the Chief Conservator and the Commissioner, reference has to be made to the Government. The District Officer has to ensure that all the revenue staff under him renders assistance to the Divisional Forest Officer in the prevention of forest offences and in other matters where such assistance may be required. District Magistrates and Commissioners of Divisions, however, report on the Divisional Forest Officers' contributions in Development Plans of the districts concerned and the help offered by them to Zila Parishads.

## WILD LIFE PRESERVATION ORGANIZATION

8.11.20. In the absence of any separate organization for its protection, the wild-life of the State had suffered great damage with the wide and indiscriminate use of the shot gun; its depletion was fast, and certain species were on the verge of extinction. The Organization was created in 1956 when a separate Circle called the Game Preservation Circle with headquarters at Lucknow was formed under the Chief Game Warden who was an officer of the rank of a Conservator of Forests. The object was to arrange scientific management of wild life in forests and to check poaching and illicit shooting which had reached alarming proportions and which the regular forest staff was unable to check because of its increased preoccupation with development work under the Five Year Plans. In addition to this, it was proposed to educate the public on the vital need of preservation of our rich heritage of wild life, and to develop wild life sanctuaries and parks. In 1958 it was reorganized and put directly under the Chief Conservator under care of a Deputy Conservator of Forests who was designated as Chief Wild Life Warden. After reorganization in 1964, the Organization was placed under the overall supervision of the Deputy Chief Conservator of Forests (Planning). The Chief Wild Life Warden is assisted by nine Wild Life Wardens of the rank of Assistant Conservator of Forests incharge of Wild Life Regions, viz., Allahabad Region, Ramnagar Region, Gonda Region, Dehra Dun Region, Kotdwara Region, Kheri Region, Sarda Region and Corbett National Park, and one for Parks and Sanctuaries. Particulars of shooting restrictions, need for permit, fees in case of permits where given, period for which valid and close seasons for shooting, can be had from Chief Wild Life Warden, Lucknow, the Deputy Chief Conservator of Forests (Planning), Lucknow or the Liaison Officer of the

State Government at U.P. Niwas, New Delhi. The main functions of the Wild Life Warden is to check poaching and prevent infringement of shooting rules and regulations in their regions. For this purpose they are provided with an armed guard consisting of three constables and one Head Constable. They constantly patrol the forests and bring to book any offenders caught; have power to compound offences and to accept compensation. In serious cases, the offenders are prosecuted in courts of law. The functions of Wild Life Warden for publicity are to educate the public on the need of preservation of wild life, create love and interest in wild life amongst school going children and publicise National Parks and Wild Life Sanctuaries.<sup>32</sup> Wild Life Wardens are assisted by Assistant Wild Life Wardens and Wild Life Guards. The Organization also conducts census of various species of wild life, initiates studies of their habits and habitat and keeps other information needed and the amenities provided by the Organization to attract increasing number of visitors.

#### 8.11.21. *Committees, Conferences and Boards.*

(1) *Standing Committee of Legislature on Forests.* The Committee consists of the members of legislature. The Minister in charge for Forests is its Chairman. The Committee reviews at least once in each year forest administration and discusses and makes recommendations on various matters concerning forest management and policy.

(2) *Land Management Board.* The Minister for Forests is Chairman and the Secretary to Government Forest Department, is Secretary of the Board. Members of the legislature are nominated on the Board by the Government. The Board discusses problems relating to land such as diforestation due to submergence, colonization or other causes, afforestation, erosion and land reclamation, desert afforestation, soil conservation, etc.

(3) *Advisory Board on Forest Utilisation.* The Chief Conservator of Forests serves as the Secretary of the Board. The members are nominated by the Government. The Board deals with all matters related to the utilisation of forest produce as for example, supply of

#### 32. The Sanctuaries are as follows:—

<i>Name</i>	<i>Division</i>
1. Corbett National Park	Kalagarh & Ramnagar.
2. Rajaji Sanctuary	Saharanpur.
3. Kansrao Sanctuary	Dehra Dun.
4. Malan Sanctuary	Lansdowne.
5. Maldhan Sanctuary	Tarai and Bhabhar.
6. Jaulasal Sanctuary	Haldwani.
7. Tanda Sanctuary	Tarai and Bhabhar.
8. Sonaripur Sanctuary	North Kheri.
9. Nanda Devi Sanctuary	North Garhwal.
10. Govind Pashu Vihar	Tons.
11. Chandra Prabha Sanctuary	Varanasi.
12. Bankatwa Sanctuary	North Gonda.

timber for various industries like matchwood, plywood, packing cases, etc., development of minor forest produce, development of new forest based industries, drug development, etc. The Board meets twice a year.

(4) *State Wild Life Board.* This Board, with the Minister for Forests as its Chairman, officials and non-officials as Members and Deputy Chief Conservator of Forests (Planning) as Secretary with headquarters at Lucknow, was constituted to advise Government on all matters connected with preservation of wild life. On the recommendation of the Board, an Advisory Committee on Preservation of Wild Life with the Minister of Forests as Chairman and Chief Wild Life Warden as Secretary, was constituted in 1965 to deal adequately with the complaints in regard to poaching by high ranking officers and members of Legislature or Parliament.

#### Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Progress Report of the Forest Administration in U.P.	April-March	1861	Chief Conservator of Forests

#### List of Acts, Rules, etc. of Forest Department

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1	2	3	4

#### Acts

1. Wild Elephant Preservation Act	1879	Govt. of India
2. Wild Birds and Animals Protection Act	1912	Govt. of India
3. Indian Forest Act	1927	Govt. of India
4. U.P. National Parks Act	1935	State Government
5. U.P. Private Forests Act	1948	State Government
6. Kumaon Nayabad Waste Land Act	1948	State Government
7. The Indian Forest (U.P. Amendment) Act	1951	State Government

#### Rules and Manual

8. Hunting, Shooting and Fishing Rules	—	State Government
9. Rules regulating the transit of timber and other forest produce	1915	"
10. Kumaon Panchayat Forest Rules	1931	"
11. Rules framed under the U.P. National Parks Act 1935	1936	"
12. Rules for the exploitation of protected forests in Kumaon	1939	"

1	2	3	4
13.	Rules of New Reserves in the Hill Pattis of Kumaon	1941	State Government
14.	Kumaon Nayabad and Waste Land Rules	1948	"
15.	U.P. Private Forests Rules	1949	"
16.	Rules framed under the U.P. Private Forests Act, 1948	1951	"
17.	Forests Manual	1952	"
18.	Indian Forest (U.P.) Rules	1964	"

## 8.12—NATIONAL SAVINGS ORGANIZATION

8.12.1. Prior to July, 1954, the National Savings Scheme was run in this State entirely by the Government of India through their Deputy Regional National Savings Officer assisted by six Assistant National Savings Officers and 45 District Organizers. The work was carried on in the districts and lower levels through the district authorities. On the assurance of the Government of India that the excess amount, achieved over the target of Rs. 4.5 crores fixed for this State at that time, would be made available to the State Government for development work, it was considered necessary to co-ordinate the working of the Scheme and to further intensify the movement. A Directorate of National Savings was, therefore, set up at the headquarters of State Government in the Planning Department.

8.12.2. With a view to securing better functioning and also to fall in line with other State Governments, the Scheme was with effect from November, 1958 put under the Finance Department with the Finance Secretary to Government as Director, National Savings, in addition to his own duties. There is a whole-time Deputy Director-cum-Deputy Secretary to Government, Finance Department to assist him, with a skeleton office staff and two Inspectors who tour in the districts for achieving co-ordination in this work.

8.12.3. The Organization has since been made permanent. The Government of India meets 50 per cent. of the total expenditure incurred on the establishment and allowances and full expenditure on publicity of the Scheme. Out of the total net amount secured in investments of National Savings Securities, the State Government also receives its two-third as loan from the Central Government for development plans.

8.12.4. The District Magistrate in each district is in-charge of the scheme for his district, and looks after the work with the help of one of his officers, commonly known as Officer-in-charge, National Savings Scheme. The publicity of the Scheme is done by the National Savings Directorate with the help of the State's Information Department. Co-ordination of work at the State level with the Government of India's organization is done with the latter's Regional Director, National Savings, at Lucknow and one Assistant Director, National Savings, at each Divisional headquarters and at Kanpur along with one or more District Organizers in each district. There is a large net work of authorised agents, individuals and organizations appointed by the District Magistrates, and other officers authorised by the Government who are allowed to secure investment and a commission is paid to them. Social service institutions, women's organizations, trade unions, labour and co-operative unions, other registered bodies, Lekhpals, Supervisor Kanungos, Panchayat Secretaries and the primary school teachers, as also members of staff in government offices (for the members of staff and their families only), are among those who are appointed agents to propagate the Scheme and secure investments.



8.12.5. *Boards and Committees*

(1) *State Advisory Board, National Savings.* This advisory Board, with the Chief Minister as Chairman and Members of Legislature and other non-officials (including a fair number of women) and officials as members, has been constituted to co-ordinate non-official effort in the State at various levels and to advise the Government and the National Savings Organization on matters concerning the Scheme. Each non-official member has been put incharge of some districts which he/she is required to tour in order to intensify the movement—the main function being the securing of co-operation of institutional organizations, educational institutions, cane growers, *gaon sabhas*, labour unions, other organizations and individuals in the propagation of the scheme.

(2) *State Co-ordination Committee, National Savings.* This Committee, with the Finance Secretary as its Chairman and Regional National Savings Officer, Post Master General, and representatives of Planning, Labour, Cane, Co-operative, Panchayats and Information Departments as its members, has been set up to review the progress of the Scheme and to discuss measures to promote and propagate the movement and to find solutions to problems by personal discussions.

(3) *National Savings Advisory Committees.* A National Savings Advisory Committee exists in each district with the President, Zila Parishad, as Chairman. The membership of the Committee consists of five members of Zila Parishad, District Magistrate or his nominee, Member-in-charge of the State Board and the Superintendent of Post Offices.

## CHAPTER 9

# Departments Providing Social Services

### 9.1. EDUCATION DEPARTMENT

9.1.1. The Education Department deals with matters of policy and programme of general as also of university education. Matters regarding vocational and technical education including higher or specialised education in specific branches or subjects have been dealt with separately.

9.1.2. State supervision in the matter of education was for the first time introduced in 1823 with the setting up of a General Committee of Public Instructions for the Presidency of Bengal. It was followed by a Committee at provincial level in 1843. A nucleus of the Education Department was first set up in 1850 by Lt. Governor James Thomason, with Visitors for vernacular schools and a Visitor-General for the Province. It was later decided by the Government of India in 1854 as a consequence of instructions contained in the despatch of Sir Charles Wood, President of the Board of Control, to have Departments of Public Instruction in each Province for promoting general and public education in India. Consequently, the post of Visitor-General was replaced by that of the Director of Public Instruction and the Province was divided for effective administration of mass education at primary level, into four circles each under charge of a Circle Inspector. The Indian Commission on Education of 1882-83, known as Hunter Commission, also emphasised that the duty of Government was mainly to provide, extend and improve elementary education. Primary education in rural areas was, in accordance with the recommendations of the Commission, passed on to the control of district boards under the Local Self-Government Act of 1883 (since repealed). Similarly, with the creation of municipalities these bodies were entrusted with primary education in cities. Government, however, continued to supervise these primary schools and even deputed to district boards its officers for administering primary education. It also continued to maintain some High Schools and other institutions for higher education as models and exercised control over non-Government institutions through inspection, examinations, recognitions and grants-in-aid at the secondary and higher levels. During the period from 1902 to 1921, qualitative improve-

ments were also initiated in curricula, text-books, examinations and teachers' training.

9.1.3. The 'Reforms' introduced in provincial administration consequent upon the enactment of the Government of India Act, 1919, had its effect in the field of education; and except for European Education which remained a 'Reserved' subject, other matters were 'transferred' to the control of Indian ministers. A statutory Board of High School and Intermediate Education was constituted under the Intermediate Education Act, 1921, with the Director of Public Instruction as its chairman to take the place of the Allahabad University for regulating and supervising the system of High School and Intermediate Education in the Province. The Reforms resulted in an all round increase in educational activities. Recruitment to the Indian Educational Service, which manned the important and responsible posts in the Department, was, however, discontinued in 1924 as a result of the recommendations of the Lee Commission.

9.1.4. The activities of the Department took a definite turn towards educational reconstruction soon after provincial autonomy was granted under the Government of India Act, 1935. The general organizational pattern of the Department in those days was that there was a Divisional Inspector of Schools in every revenue Division, with an Assistant Inspector of Schools to look after Hindustani Education and a Deputy Inspector of Muhammadan Schools (except for Kumaun Division) to advise on *Makhtabs* and other Muslim Schools in the Division. The Inspector of Schools had under him heads of Anglo-Hindustani and Hindustani institutions for boys and a Deputy Inspector of Schools in each district, who was assisted by Sub-Deputy Inspectors in matters relating to primary education. For the education of girls, the Province was divided into ten Circles each under an Inspectress of Girls Schools with a Chief Inspectress at the headquarters. Each Inspectress held in her jurisdiction, similar charge as that of Inspector of Schools and was assisted by an Assistant Inspectress in most districts. Soon after the Congress Ministry came in office, a reorganization committee, popularly known as Acharya Narendra Deo Committee, was constituted in 1939, but owing to the outbreak of War and creation of an emergency resulting in the resignation of the Ministry, the recommendations of the Committee could not be implemented till after the attainment of Independence in 1947. The Department was then completely reorganized and considerably expanded. Things had started moving at the Centre also on the emergence of a separate Ministry of Education. The designation of the Director of Public Instruction was changed in 1947 to Director of Education, and with a view to ensuring his ready consultation and easy collaboration with the Government, his camp office was set up at Lucknow in 1948. Each district was provided with a District Inspector of Schools and the State was divided into five Regions (subsequently raised to eight) each under a Regional Deputy Director in respect of boys' schools generally and a Regional Inspectress for girls' schools. Institutions for specialized teachers training were

set up. Steps were taken to improve the management of private secondary schools. Psychological service was introduced. Provincial Education Corps (now Pradeshik Shiksha Dal) was organized. Improvement of text-books for basic primary schools was taken up. The University Grants Committee was established and Government Degree Colleges were started at Naini Tal, Gyanpur (Varanasi) and Srinagar (Garhwal). The Raza Degree College at Rampur came under Government control. Compulsory primary education was introduced in terms of Article 45 of the Constitution of India in a large number of municipal areas. An all out effort to raise the enrolment of children in primary schools was made. The State and the Central Governments work for the expansion and improvement of education at all levels in collaboration with the local bodies and private managements, through subsidies and grants-in-aid. Two of the important Commissions which submitted their reports to Government are the Uttar Pradesh Universities Commission, 1960, and the Uttar Pradesh Secondary Education Commission, 1960.

9.1.5. With the growth and expansion of secondary education and its impact in the University sector, there was demand for more regional Universities in the State. The Agra University, which had affiliated colleges throughout the State, had become unwieldy and could not properly handle the situation. Consequently, a University was established at Gorakhpur in 1956. Later, the University Education Commission appointed by the Government of India, as also the U.P. Universities Commission, recommended the establishment of a University each at Kanpur and Meerut, which was done in 1965.

9.1.6. Cases of assaults on Superintendents of Centres and Invigilators in the examinations conducted by the Board of High School and Intermediate Education were lately on the increase. In order to enable such Superintendents and Invigilators to discharge their duties fearlessly, it was decided in 1959, by suitably modifying the Intermediate Education Act, 1921, to declare them 'public servants' under Section 21 of the Indian Penal Code, 1860, for the duration of examination and for a period of one month prior to the commencement of and of two months immediately following such examinations. An assault on, or use of criminal force against a superintendent or an invigilator during these periods is considered an obstruction voluntarily caused to a public servant in the discharge of his public functions and is a cognizable offence. A similar provision was later made in respect of University examinations by the enactment of the U.P. Universities (Provisions Regarding Conduct of Examinations) Act, 1965.

9.1.7. At the Secretariat level, the Department was in the beginning looked after by the Chief Secretary to Government and then by the Judicial Secretary, but as a result of the introduction of 'Reforms', the Department was placed in 1921 under the charge of a wholetime Secretary. This arrangement, however, continued only for a short period, when in 1923, as a measure of economy, the Departments of

Industries, Agriculture, Civil Veterinary and Co-operative Societies were also placed under the same Secretary and the Secretariat office was amalgamated with the office of the Director of Public Instruction. The latter was designated as *ex-officio* Deputy Secretary to Government with the authority to write direct to the Minister for Education. No particular change took place in this arrangement till 1937, when due to the expansion of educational programmes, it began to be felt that a combined office was not practicable. The Director of Public Instruction, relinquished the post of *ex-officio* Deputy Secretary in 1939. The separation of the office of the Director was completed in 1940, and the control of the Thomason Civil Engineering College, Roorkee (later converted into Roorkee University) was also transferred in 1945 to Public Works Department, since the Education Department ceased to deal with technical education.

9.1.8. The Education Department consists of a Secretariat and the office of the Director of Education, U.P., Allahabad. The Director of Education is, however, stationed at Lucknow and has his camp office there. Military Education and Social Service Wing of the Department is under the charge of the Director, Military Education and Social Service Training, U.P., Lucknow, who works under the overall administrative control of the Director of Education. The Secretariat staff comprises of:

Secretary, Education and Technical Education Departments	1
Joint Secretary	1
Deputy Secretaries	2
Under Secretary	1
Assistant Secretary	1
Officer on Special Duty	1
Superintendents	7

The Department has seven sections. The Officer on Special Duty also works for the Language Department in the Chief Secretary's Branch and the National Integration Department and looks to the language policy and its implementation in educational institutions. From July 11, 1968, the Social Welfare and the Harijan Sahayak Departments, which were till then looked after by the Secretary, Education, were placed under the Secretary, Cultural Affairs and Scientific Research Department, and the Department of Technical Education was brought under the Secretary, Education.

9.1.9. Matters dealt with in the Education Department are as below:

1. Pre-primary, Primary, Secondary and Higher Secondary Education, Establishment and recognition of Schools and Colleges. Grants under State and Central Schemes. Award of scholarships, tuition fees.

2. Board of High School and Intermediate Education, U.P.
3. University and Higher Education. Degree Colleges.
4. Management and Service conditions in non-Government aided institutions.
5. Teachers' Training Institutions.
6. Text-books, Grants for publication of books.
7. Moral Education. Discipline in Schools and Colleges.
8. Military Education and Social Service Training, National Cadet Corps, Physical Education.
9. Pradeshik Shiksha Dal and Youth Welfare Programme. Adult Education.
10. Language Policy. Medium of instruction in schools.
11. Anglo-Indian Education. Public Schools.
12. Children's Literature.
13. Hindi Literature Fund. Hindustani Academy.
14. Sanskrit and Arabic Education.
15. History of Freedom Movement.
16. Matters connected with the Indian Science Congress.
17. Public Libraries, Museums and educational exhibitions.
18. National Award for Teachers.

They are distributed amongst the various Sections broadly as below:

Education (A) Department	Secondary Education (aided institutions).
Education (B-I) Department	Establishment of the Directorate of Education and Government institutions.
Education (B-II) Department	Development Plan Schemes and Secondary Schools. Education Branch Establishment.
Education (C-I) Department	Higher Education, Universities, Nagri Pracharani Sabha, Bharat Scouts and Guides, Physical Education, National Cadet Corps, Science Education, Scientists' Pool, Pradeshik Shiksha Dal, Discretionary Grants, U.P. Youth Commission and University Education Commission. Rural Institutes.
Education (C-II) Department	Degree Colleges, Financial assistance to authors, Puruskar Yojana Samiti, Anglo-Indians', Arabic and Sanskrit Education.
Education (D) Department	Pre-primary and Primary Education, Junior High Schools, Financial assistance to displaced students.



Education (E) : Teachers' Training Colleges, stipends and  
Department other miscellaneous matters.

*Primary and Secondary Education*

9.1.10. The administration of primary education vests primarily in local bodies. Compulsory primary education is governed by the Municipal Board Compulsory Primary Education Act, 1919 and the District Board Primary Education Act, 1926. Primary (Junior Basic) Schools are administered by Kshettra Samities and Junior High Schools up to class eight (Senior Basic) are administered by Zila Parishads under the U.P. Kshettra Samities and Zila Parishad Adhinyam (Act), 1961. The inspecting officers of the Department at district level assist the local bodies in the administration of these schools. Ninety-five Municipal areas have compulsory education for boys. They include ten areas for both boys and girls. Similarly about 1,687 villages have compulsory education for boys and three for girls. Higher Secondary schools (from VI to X or XII) are mostly run by private bodies and are controlled in the matter of their recognition, courses of study and conduct of examinations by the Board of High School and Intermediate Education either up to High School or Intermediate standard under the provisions of the Intermediate Education Act, 1921 as amended by the amending Act of 1958. The amendment provides for better management and better service conditions for teachers of non-Government aided institutions. Regional Appellate Committees are provided under the Act for deciding disputes between teachers and management. There is a Government Higher Secondary School in almost every district.

9.1.11. Lack of proper nourishing food for our school-going children has been a cause of great concern. Schemes for supplementing nutrition to their food have been taken up from time to time. On the termination of the scheme of free distribution of milk amongst school-going children run by the help of UNICEF (United Nations International Children's Emergency Fund), a similar scheme was introduced with effect from October 1, 1965 with the co-operation of CARE (Co-operative for American Relief Everywhere) in seventeen districts of the State,— ten in eastern area and seven in the hill area. In January, 1968, the scheme was slightly modified,— two more districts were added to the field of operation and instead of milk, refreshment known by the name of *balahar* started to be distributed amongst them. The nineteen districts covered by this scheme are:

Eastern area	Allahabad, Azamgarh, Bahraich, Ballia, Basti, Deoria, Ghazipur, Gonda, Gorakhpur, Mirzapur and Varanasi.
Hill area	Almora, Chamoli, Naini Tal, Pauri-Garhwal, Pithoragarh, Tehri-Garhwal and Uttar Kashi.
Bundelkhand	Banda.

Uttar Pradesh is one of the fourteen States of the country in which the scheme is being run. The State Government pays to the CARE only the latter's administrative expenses for running the scheme.

9.1.12. The Government introduced with effect from October 1, 1964, a scheme for the benefit of permanent employees serving in the State-aided educational institutions, viz., Primary Schools, Junior High Schools, Higher Secondary Schools, Degree Colleges and Training Colleges run either by local bodies or private managements. The scheme is intended to ensure to the employees three types of benefits—Contributory Provident Fund, Insurance and Pension, including family pension, and hence called the Triple Benefit Scheme. It does not apply to the inferior staff of these institutions and ministerial staff of institutions run by local bodies. A scheme for sanctioning gratuity equal to six months' pay to teachers of aided Higher Secondary Schools in the event of sudden death of the employee was also introduced with effect from April 1, 1964, and a Teachers' Gratuity Fund with a provision of Rs. 22,00,000 was constituted. A State Foundation for Teachers Welfare for giving assistance to teachers and their families in distress was also instituted on September 5, 1964. The Department participates in Teachers Day celebrations on September 5 every year on the birth day of the former President of India, Sri S. Radhakrishnan. These celebrations, as a mark of respect to our teachers, are held under the auspices of National Foundation for Teachers' Welfare.

### *University Education*

9.1.13. Each of the Universities in the State has been established by an Act either of the Central Government<sup>1</sup> or the State Government.<sup>2</sup> Of the eleven Universities, the Banaras Hindu University, Varanasi, and the Aligarh Muslim University, Aligarh, have been declared by the Parliament to be the institutions of national importance<sup>3</sup> and are administered centrally, while the remaining, viz., the Universities of Agra, Allahabad, Gorakhpur, Kanpur, Lucknow and Meerut; Varanaseya Sanskrit University, Varanasi; Roorkee University, Roorkee, and the Agricultural University at Pant Nagar, district Naini Tal, are governed by the State Government. The latter two Universities are, however, outside the purview of Education Department and the administrative work relating to them is looked after by the Technical Education and the Agriculture Departments respectively. Ad hoc provision was made in the budget for the year 1969-70 for the establishment of the Uttarakhand University. Arrangements for correspondence course for B.A. classes exist at the Meerut University since 1969. The Governor of the State is Chancellor of the State Universities and Chief Rector of the two Centrally administered Uni-

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1. Banaras Hindu University Act, 1915.

Aligarh Muslim University Act, 1920.

2. List of Acts is given on p. 475.

3. Item 63 of Union List in Seventh Schedule to the Constitution of India.

versities. The President of India is Visitor of these Universities. The chief administrative authority of a University is the Vice-Chancellor who performs his functions through and in consultation with the Executive Council (or Syndicate) and the Court (or Senate), the Academic Council and the Faculties. The Executive Council and the Court have the responsibility to frame Statutes and Regulations and to deal with all matters connected with the organization and administration of the affairs of the universities. They are composed of persons representing various interests in the life of the University while a few are nominated by the Chancellor and State Legislature. The Academic Council deals with the academic questions in general and with courses of study and the organization of teaching and examinations in particular and co-ordinates the work of the various University Faculties which function under their respective heads, called Deans. The matters which are referred to the Chancellor relate to amendments to statutes and ordinances, representations under specified sections of the University Acts, affiliations of all degree and post-graduate colleges, compilation of panel of experts and similar other matters. The number of degree colleges affiliated to various Universities in 1969 was: Allahabad University—3, Banaras Hindu University—4, Lucknow University—15, Agra University—51, Kanpur University—37, Meerut University—50 and Gorakhpur University—48.<sup>4</sup>

9.1.14. The co-ordination and determination of standards of education in universities is the function of the Government of India which give grants-in-aid to the various Universities through the University Grants Commission. The State Government help them with similar development, maintenance and other recurring and non-recurring grants. The University Education Advisory Board<sup>5</sup> of the State hitherto advised the Government on new schemes of development, expansion and research in Universities. Government of India have also declared Kashi Vidyapeeth (Varanasi) and Gurukul Kangri Vidyapeeth (Hardwar) as "Deemed Universities". They are financed by the Government of India. With a view to making the University Education Advisory Board more plan-oriented, the State Government decided in November, 1969, on the recommendation of the Conference of Vice-Chancellors held in June, 1969 at Naini Tal, to reorganize that body under the new name of the "University Education Commission". The Commission will function under the chairmanship of Education Minister. The aims and objects of the Commission are to advise the Government in regard to the planning, evaluation, reorganization, development, etc., of universities and degree colleges; to advise the Government in regard to the policy in respect of constitutional, administrative and educational matters con-

4. *Shiksha kee Pragati*, 1968-69; Education Directorate, U.P., Allahabad, p. 27.

5. The Board replaced the erstwhile University Grants Committee with effect from October 27, 1967, but it also ceased to function from October 1, 1968.

cerning higher education; to give suggestions for raising the level of higher education and research and to consider such other matters as Government may from time to time refer to the Commission for opinion. The Commission is expected to meet once in a quarter. It can authorize its members to inspect the Universities and Degree colleges, as and when necessary, can also co-opt not more than two members in its sittings and can invite the heads of universities and colleges, when required.

9.1.15. *U.P. Youth Commission.* With a view to co-ordinating and integrating youth activities, as are at present being programmed in different departments, and channelising them on democratic lines, and at the instance of the Government of India, who had set up a National Youth Commission for these objects, the State Government set up in November, 1969, a Commission known as the Uttar Pradesh Youth Commission. The Chief Minister of the State is its Chairman with Ministers for Education, Community Development, Planning and Prantiya Rakshak Dal, Civil Defence and Sports as its Vice Chairmen. Members of the Commission are Secretaries to Government in Agricultural Production and Rural Development, Home, Education and Planning Departments, Vice Chancellors of various Universities in the State, President, Council of Sports, Lucknow; Director, N.C.C., Lucknow; State Chief Commissioner, Bharat Scouts and Guides, U.P., Allahabad; Director of Education, U.P.; Commandant-General, Home Guards and Prantiya Rakshak Dal, U.P., Lucknow; a student nominated by each Vice Chancellor; five members representing the non-official bodies doing youth welfare work and ten non-officials having interest in these activities to be nominated by the Government, with Joint Secretary, Education Department as Member-Secretary and Director, Pradeshik Shiksha Dal as its Member-Joint Secretary. The headquarters of the Commission are under the Education (C-I) Department of the U.P. Secretariat at Lucknow. The aims and objects of the Commission, broadly, are to lay down policy and launch, by rendering financial assistance and other services, programmes for the welfare of all youths, both students and non-students living in towns as well as in rural areas and assist them in important constructional activities, to bring about co-ordination in the programmes concerning youth welfare carried on by the different voluntary institutions, the State Government and the Central Government and to utilize properly the resources meant for youth welfare; to provide resources for these activities and find them through national and international agencies; to review periodically and assess youth welfare activities and investigate and study their problems; to prepare schemes for the unemployed, educated unemployed and youths as may enable them to participate in productive or nation-building activities and thus get gainful employment; to lay stress generally on the social and practical attitude of youth life and on activities helpful in character building of students and other social activities; to remove the feeling of untouchability amongst them; to promote and encourage youth programmes such as lectures, exhibitions, youth gathering

and youth camps during holidays, to organize activities and produce literature which may encourage the feeling of patriotism, national honour and unity; to promote inter-State co-operation, to encourage activities as may be helpful in civil defence, mass training, recruitment in the army, or in enhancing high moral force of those engaged in defence of the country; to arrange co-operative societies, libraries, restaurants, etc., and encourage the activities of youth hostels, to inculcate the feeling of doing heroic deeds by arranging explorer clubs, travels, etc., and to channelise youth force towards constructional activities by arranging hobby workshops.

### THE DIRECTORATE OF EDUCATION

9.1.16. The Director of Education, who is head of department, has his head office at Allahabad and a camp office at Lucknow. The Director is assisted at the Headquarters office by an Additional Director of Education in the overall charge of the office administration and by five Deputy Directors, two Assistant Directors, nine Assistant Deputy Directors, a Senior Accounts Officer and an Assistant Accounts Officer. Allocation of work amongst these officers, which is distributed in 27 small sections, is as below:

#### 1. *Deputy Director (Services)*

With the assistance of three Assistant Deputy Directors, he deals generally with the establishment matters of the Directorate.

#### 2. *Deputy Director (Finance)*

With the assistance of three Assistant Deputy Directors, Senior Accounts Officer and Assistant Accounts Officer, he deals with grants-in-aid to all types of institutions, scholarships, audit and inspections, complaints and arbitration in the affairs of aided schools, school libraries, multi-purpose schools, upgrading of and additional sections in Government schools.

#### 3. *Deputy Director (Primary)*

With the assistance of an Assistant Director (Primary) and an Assistant Deputy Director (General), he deals with primary education and allied matters as relate to Zila Parishads, Municipal Boards and Corporations, books and equipment for Basic Schools, Primary Education Survey, Anglo-Indian education, recognition of Associations, Educational Code, Bharat Scouts and Guides, St. John's Ambulance, etc., age corrections, educational exhibitions and museums, problems of discipline, school health service, education expansion work, social education, audio-visual education, district libraries and other general matters and also acts as Secretary of the State Board of Basic Education.

#### 4. *Deputy Director (Training)*

With the assistance of one Assistant Deputy Director, he deals with teachers' training at all levels, training institutions, pre-primary education, seminars, workshops, special courses, co-ordination of research on educational problems in departmental institutions and Plan co-ordination.

#### 5. *Deputy Director (Women)*

With the assistance of one Assistant Deputy Director (Women), she deals with all types of service matters pertaining to the Women's Branch of the Department and is consulted in all matters pertaining to girls education. She is President of the Regional Appellate Committees (Women) of the State and is a member of the State Advisory Council for Girls' and Women's Education and represents the Department on the National Advisory Council for Girls' and Women's Education.

#### 6. *Assistant Director (Basic)*

He deals with the budget of the Reorientation Scheme, grants for introduction of crafts and service matters of agriculture teachers, craft teachers, extension teachers and guides, etc.

#### 7. *Assistant Director (Primary)*

He deals with the grants to Zila Parishads and Municipal Boards, administrative matters pertaining to teachers of local bodies, schemes of elementary education, compulsory education schemes and legislation connected therewith. [He also works as Officer-on-Special Duty (Language) in addition to his own duties.]

### THE CAMP OFFICE AT LUCKNOW

9.1.17. The Camp Office consists of a Deputy Director of Education (Camp), an Assistant Deputy Director of Education, and a Personal Assistant to the Director along with a small supporting staff. It deals with matters such as Education Sector Plans and Extension Services; matters relating to the Legislature; legal matters concerning the Department; deputation of officers; matters concerning various funds such as T. B. Sanatorium Fund, Tulsi Smarak Fund, U.P. Flood Relief Fund, Radio Sets Fund and Refugee Relief Fund; Press-reports; cases of indiscipline; work relating to various social service organizations; award of stipends to middle class and destitute students and under Fighters' for Freedom Scheme; Sampurnanand Vad-Vivad Pratiyogita; the Central Advisory Board of Education; Secondary Education and Technical Courses; Educational Museums; assistance for campus work projects and to voluntary organizations from the Government of India; Anglo-Indian Schools; foreign scholarships and visits by foreigners.



9.1.18. The Director of Education is also assisted by the following special officers at his headquarters or at the Camp Office:

1. *Director, Military Education and Social Service Training, Lucknow.* He deals with the scheme of military training to boys of classes XI and XII at the headquarters of all districts and to girls of the same classes in selected institutions in a few districts, with a view to developing them intellectually, physically and morally and enabling them to share a spirit of social service. He is assisted at the headquarters by a Commandant, a Quarter Master and a Superintendent of Physical Education.

2. *Pathya Pustak Adhikari at Lucknow.* He deals with preparation, production, prescription and approval of basic text books, maps and charts for classes I to VIII as well as books for libraries and for giving as prizes. He is assisted by a Sahayak Adhikari, Pathya Pustak, and three Library Assistants.

3. *Education Expansion Officer at Allahabad.* He is concerned with the maintenance of Government libraries in rural areas of the State for promoting social education, mobile library service, educational film service, promotion of various educational programmes and audio-visual literature for neo-literates, publication of a monthly magazine. "Nava Jyoti" and other literature on the activities of the Department.

4. *Registrar, Departmental Examinations at Allahabad.* The Registrar, with the help of a Deputy Registrar conducts the following examinations for the Department:

Licentiate in Teaching (L.T.) Examination for men and women; L.T. (Constructive) Examination; L.T. (Basic) Examination; Physical Education Diploma Examination; Physical Education Certificate Examination; Teachers' Certificate (Basic) Examination; Nursery Teachers' Certificate Examination; Teachers' Certificate Examination in Home Science for women; Junior Teachers' Certificate Examination for men and women; Hindustani Teachers' Certificate Examination for men and women; Kovid Examination (for Proficiency in Hindi for women); Qabil Examination (Urdu); High School Scholarship Examination; Guidance Psychologists Diploma Examination and Junior High School Examination for boys and girls. (All Higher Secondary Schools and those Junior High Schools for boys which have trained-graduate head masters, conduct their own examinations at the end of class VIII.)

5. *Inspector, Sanskrit Pathshalas, Allahabad.* He looks after the teaching of Sanskrit at about 900 Sanskrit Pathshalas in the State and brings to the notice of the Director young and promising students needing financial help. The Assistant Inspectors attached to certain Regional headquarters assist the Inspector in the discharge of his duties.

6. *Inspector, Arabic Madarsas, Allahabad.* He looks after

the teaching in about 120 Arabic and Persian Madarsas in the State, and also acts as Registrar of the Arabic and Persian Examinations.

## REGIONAL AND FIELD OFFICES

### *Regional Deputy Directors of Education and Regional Inspectresses of Girls' Schools*

9.1.19. For supervision and inspection of and control on the educational institutions, as also for other activities of the Department, the State is divided into ten Regions as indicated below. These Regions are headed by Deputy Directors of Education in respect of boys' institutions.

<i>Region</i>	<i>Jurisdiction (District)</i>
I Region, Meerut	Dehra Dun, Saharanpur, Muzaffarnagar, Meerut and Bulandshahr.
II Region, Agra	Aligarh, Mathura, Agra, Mainpuri and Etah.
III Region, Bareilly	Bareilly, Bijnor, Budaun, Moradabad, Shahjahanpur, Pilibhit and Rampur.
IV Region, Allahabad	Farrukhabad, Etawah, Kanpur, Fatehpur and Allahabad.
V Region, Varanasi	Varanasi, Mirzapur, Jaunpur, Ghazipur and Ballia.
VI Region, Lucknow	Lucknow, Unnao, Sitapur, Hardoi and Kheri-Lakhimpur.
VII Region, Gorakhpur	Gorakhpur, Deoria, Basti, Azamgarh, Gonda and Bahraich.
VIII Hill Region, Naini Tal	Naini Tal, Almora, Pauri-Garhwal and Tehri-Garhwal.
IX Region, Jhansi	Jhansi, Banda, Hamirpur and Jalaun.
X Region, Faizabad	Faizabad, Sultanpur, Rae Bareilly, Pratapgarh and Bara Banki.

The three border districts of Uttar Kashi, Chamoli, and Pithoragarh are for general supervisory purposes under the Hill Region, but for major policy matters and development work, they are under the control of the respective Commissioner of Division. For proper supervision over girls' schools, there are eight Regional Inspectresses of Girls' Schools for the above Regions, except at Faizabad and Jhansi, with suitable adjustments of the various districts amongst their jurisdictions. The Regional Deputy Directors supervise the educational activities of the Department in the districts under their charge, hear appeals against the orders of District Inspectors in the matters of educational institutions, inspect training colleges and Intermediate classes of Degree Colleges, convene conferences, advise local bodies in educational matters, approve schemes of administration of aided ins-

tutions under the Intermediate Education Act, and approve the appointments of Principals or Headmasters of aided Higher Secondary Schools. Similar powers are exercised by Regional Inspectresses of Girls' Schools in respect of girls' institutions. A Deputy Director hears representation against the orders of a District Inspector of Schools disapproving appointment of any teacher and acts as President of the Regional Appellate Committee for boys' Higher Secondary Schools in each Region. These functions in the case of girls' institutions are performed by the Appellate Committee constituted under the Deputy Director of Education (Women) at the headquarters office at Allahabad, who hears appeals and representations against orders of Regional Inspectresses of Girls' Schools.

#### *District and Associate Inspectors of Schools*

9.1.20. A District Inspector of Schools is the chief officer of the Department for the district, working under the administrative control of the Regional Deputy Director. He is responsible for supervision, control and inspection of educational institutions in general (except for Degree Classes) and of institutions for boys in particular. A District Inspector is usually an officer of the U.P. Educational Service (Class II) but in all such districts where the number of Higher Secondary Schools is fifty or more, viz., Agra, Aligarh, Allahabad, Azamgarh, Ballia, Bareilly, Basti, Bijnor, Bulandshahr, Chamoli, Deoria, Etah, Etawah, Faizabad, Farrukhabad, Ghazipur, Gorakhpur, Jaunpur, Kanpur, Lucknow, Mathura, Meerut, Moradabad, Muzaffar Nagar, Naini Tal, Pauri-Garhwal, Pithoragarh, Saharanpur, Uttar Kashi and Varanasi, he is an officer of the U.P. Education Service (Class I). The latter is assisted by an Associate Inspector in Class II of the Service in a district which has sixty-three or more Higher Secondary Schools. They grant recognition to institutions up to the standard of a Junior High School for boys, take action on reports on Compulsory Education, inspect educational offices of Zila Parishads and Municipal Boards and supervise the work of Deputy and Sub-Deputy Inspectors, and Deputy Assistant Inspectresses.

#### *Deputy and Additional Deputy Inspectors of Schools*

9.1.21. A Deputy Inspector of Schools with an Additional Deputy Inspector of Schools looks after education in Junior High Schools and Primary Schools under Zila Parishads and works under the overall control of the District Inspector of Schools. He also acts as Secretary of the Junior High School Examination Committee of the district and co-ordinates educational programmes at the level of Zila Parishads and Development Blocks. The Additional Deputy Inspector of Schools is the officer-in-charge of the Education Office of Zila Parishad and performs administrative and executive functions in respect of primary education at that level under the supervisory charge of the Deputy Inspector.

*Sub-Deputy Inspectors of Schools*

9.1.22. They work under the guidance of the Deputy Inspector of Schools and inspect Junior High Schools in the Circles assigned to them. A Circle of a Sub-Deputy Inspector is generally co-terminous with Development Block boundaries.

*District/Deputy/Assistant Inspectresses of Girls' Schools*

9.1.23. The three bigger districts of Kanpur, Lucknow and Meerut have each a District Inspectress of Girls' Schools. Apart from an Assistant Inspectress of Girls' Schools in every district, about twenty districts have a Deputy Inspectress of Girls' Schools each, depending upon the work-load, to assist the Regional Inspectress. They are responsible for supervision, inspection and control of girls' Basic, Primary and Junior High Schools in a district. Except where there are District Inspectresses, the Deputy and the Assistant Inspectresses work under the administrative control of the District Inspector of Schools, though superior supervision over their work is exercised by the Regional Inspectresses of Girls' Schools.

*Field Staff for Military Education*

9.1.24. There are eighteen Commandants and thirty-four Assistant Commandants of Military Education and Social Service Training. Each of them is responsible for implementing the programme of military education, social service training and physical education in his district, under the general supervision of the District Inspector of Schools. The eighteen Commandants also act as Visiting Instructors for supervising the technical aspects of training in the districts allotted to each.

*Deputy Inspectors of Mohammadan Schools*

9.1.25. In five out of eight Regions there are special Deputy Inspectors of Mohammadan Schools, who are under the administrative control of the Regional Deputy Director concerned. Their duty is to inspect and advise on education in the *maktabs* and other Mohammadan schools up to the Junior High School stage.

*Assistant Inspectors of Sanskrit Pathshalas*

9.1.26. The Assistant Inspectors posted at certain Regional headquarters inspect the Sanskrit Pathshalas in their Zones, and help the Inspector of Sanskrit Pathshalas at the headquarters, in supervising Sanskrit Education in their Zones.

*Inspector of Anglo-Indian Schools*

9.1.27. The District Inspector of Schools, Naini Tal, also functions as the Inspector of Anglo-Indian Schools, Uttar Pradesh, and performs such duties concerning these institutions as are laid down in the Code for Anglo-Indian Schools.

*Superintendent of Agricultural Education*

9.1.28. The Superintendent of Agricultural Education is under the direct administrative control of the Director. He supervises and inspects the agricultural classes and farms attached to schools including training institutions in the State.

*Assistant Inspector of Arts and Crafts*

9.1.29. The Assistant Inspector of Arts and Crafts is under the direct administrative control of the Director. He supervises and inspects the Arts and Crafts classes of all recognised Government and non-Government institutions including training institutions in the State.

9.1.30. Below is given a list of various categories of educational institutions<sup>a</sup> with which the Department is mostly concerned:

	Boys	Girls	Total
1. Higher Secondary Schools and Colleges	2,371	490	2,861
(i) Government Higher Secondary Schools (Intermediate Classes)	87	53	140
(ii) Government Higher Secondary Schools (High School Classes)	23	49	72
2. Senior Basic Schools (Junior High Schools)	5,797	1,425	7,222
3. Junior Basic Schools (Primary)	49,929	11,050	60,979
4. Degree Colleges.			
Government Degree College at Gyanpur (Varanasi), Naini Tal, Rampur, Sri Nagar (Garhwal), Pithoragarh, Gopeshwar (Chamoli), Tehri and Uttar Kashi.	163	45	208
5. Universities	—	—	11
6. Training Institutions :			
(i) Training (L.T. Standard)	7	4	11
(ii) Training Departments in Universities for B. Ed. and M. Ed.	—	—	5
(iii) In Degree Colleges (L.T. Standard)	39	6	45
(iv) Junior Basic Training Colleges and other institutions of C.T. Standard	7	10	17
(v) Basic Training Certificate Course	234	89	323
7. Miscellaneous Government institutions :			
(i) Oriental College at Rampur for higher education in Arabic and Persian.	1	—	1
(ii) Graduate Training Colleges	3	1	4
(iii) Under-graduate Training Colleges at Allahabad, Lucknow and Muzaffarnagar.	3	1	4

6. The figures, many of which are provisional, relate to 1967-68 and are mostly based on the information contained in *Shiksha kee Pragati*, 1968-69; Education Directorate, U.P., Allahabad. Figures in items 1(i) and 1(ii) regarding Government Higher Secondary Schools relate to the year 1968-69.

	Boys	Girls	Total
(iv) College of Physical Education for Men at Rampur and for Women at Allahabad.	1	1	2
(v) College of Home Science, Allahabad.	—	1	1
(vi) Nursery Training College, Allahabad.	—	1	1
(vii) Model Montessorie School, Allahabad.	1	—	1

A few of the special institutions are Government Central Pedagogical Institute, Allahabad, which is a premier research-cum-training institute for pre-service and in-service training course and conducts investigations relating to curricula, methodology, evaluation, etc., and includes the English Language Teaching Institute; Government Training College for Women, Allahabad; Government Basic Training College, Varanasi and Government Constructive Training College at Lucknow providing specialised teachers' training in basic education and in crafts and agriculture; Bureau of Psychology at Allahabad for educational and vocational guidance, test construction and standardisation, research and training of school Psychologists. Apart from Public Libraries at many district towns, the Government Central Library at Allahabad serves, since 1949 when it was established, as an educational library for Government institutions and officers and also a depository of all publications received by the State Government under the Press and Registration of Books Act, 1867. It has now taken the shape of a public library. There is also an Oriental Section for Arabic, Persian and Sanskrit in Government Higher Secondary School, Mirzapur.

#### BOARD OF HIGH SCHOOL AND INTERMEDIATE EDUCATION, U.P., ALLAHABAD

9.1.31. This statutory Board is constituted under the Intermediate Education Act, 1921. It regulates and supervises the High School and Intermediate Education in the State, prescribes curricula and courses and conducts High School and Intermediate Examinations. The Board consists of the Director of Education as *ex-officio* Chairman, a Secretary and a number of members partly appointed by the State Government and partly elected by different educational bodies representing various interests, *viz.*, Universities, Secondary Education, Agriculture, Engineering, Industries, Commerce, etc. Experts not exceeding three are co-opted by the Board. Members, other than *ex-officio* and co-opted members, hold office for three years. The Committees of the Board are: Committees of Courses (45 in number dealing with different subjects), Examination Committee, Recognition Committee, Finance Committee, Results Committee, Curriculum Committee and Committee on Women's Education. Government appointed in November, 1964, a committee under the Chairmanship of Sri Radha Krishna, then Chairman of the State Public Service Commission, for re-organization of the Board.



The Committee submitted its report in November, 1965. Its main recommendations were (i) to decentralize the working of the Board by setting up four sub-units of the Board in the State which could be entrusted with the work of granting recognition to schools and colleges and of conducting examinations within their jurisdiction, and that (ii) the Board, with its headquarters at Allahabad, should continue to deal with matters of policy and the work relating to determination of curriculum, selection of books, etc. The State Government were thinking seriously (in June, 1969) for implementing the recommendations, as they were expected to improve the worsening situation caused by the ever increasing number of schools, colleges and examinees.

9.1.32. Other important Boards, Committees, etc., are—

1. *State Board of Audio-visual Education*. This Board, with the Education Expansion Officer as Secretary and other official and non-official members, examines the different aspects of Audio-visual Education and suggests ways and means to promote it.

2. *Board of Arabic and Persian Examinations*. It conducts Arabic and Persian Examinations.

3. *State Board of Basic Education*. It is an advisory body constituted in 1961 with the Education Minister as Chairman and Deputy Director of Education (Primary) as Secretary with twenty-one other members including Commissioner for Agricultural Production and Rural Development; Secretary, Education Department; Director of Education; Director of Agriculture and Director of Industries. Its functions are to suggest measures to raise the standard of training institutions for basic school teachers, improvements in the present system of control and supervision of basic schools, changes in pre-basic education and ways and means of expanding primary education of girls, specially in rural areas.

4. *Corporation for Production of University-level Books in Hindi (Vishwa Vidyalaya Stariya Hindi Pustak Rachna Nigam)*. This Corporation was set up in 1969 as an autonomous body with a capital of rupees one crore for original writing and translation of University-level books in all subjects in Hindi to give an impetus to the teaching of various subjects in the Universities of the State in Hindi. The entire funds will be provided by the Government of India. The Corporation will arrange printing as well as sale of these books.

5. *Standing Committee of Legislature on Education*. This Committee, consisting of the Education Minister and about twenty members of the Legislature, advises the Government on problems relating to education in the State.

6. *State Advisory Committee of National Cadet Corps*. This is a statutory Committee formed under the National Cadet Corps Act, 1948, to make recommendations to the Government in the matters of formation of Units, selection of colleges and schools which should raise Units or Sub-Units and selection of persons for appoint-

ment as officers in the Corps, and to issue directions to and advise the Officers Commanding, Units, and the Director of Education in the matter of improvement of training of cadets, their discipline and general welfare.

7. *Hindi, Sanskrit and Urdu Puruskar Yojna (Rewards) Committees.* These Committees consist of a Chairman and Deputy Secretary to Government, Education Department, as Secretary with four members each for the three languages, and advise the Education Minister in the matter of sanctioning rewards on works of outstanding merit in these languages.

8. *High Power Committee for the grant of financial assistance to authors.* This Committee, with the Secretary to Government, Education Department as Member-Secretary, has been constituted to consider proposals under the scheme sponsored by the Government of India for grant of financial assistance to persons distinguished in letters, arts and such other walks of life, who may be in indigent circumstances, or to the dependents of such writers and artists who leave their families unprovided for.

9. *Regional Appellate Committees.* These Committees constituted under Section 16 (d) of the Intermediate Education Act consist of the Regional Deputy Director of Education as President, a member of the State Managers' Association nominated by the Association and a member of the U.P. Madhyamik Shikshak Sangh nominated by the Sangh as its members. They hear appeals against the orders of the District Inspectors/Regional Inspectresses, approving, disapproving, reducing or enhancing the punishment to, or approving or disapproving notice of termination of the services of teachers proposed by the Boards of Management of aided Higher Secondary Schools.

A few other important committees are (i) the State Advisory Committee for Girls' and Women's Education, (ii) the Book Selection Committee formed with a view to selecting books for junior basic schools under local bodies and (iii) the Programme Advisory Committee formed with a view to evaluating the work of the Institute of Education at Allahabad and advising it on development of its programme.

## NATIONAL CADET CORPS

9.1.33. In every advanced country in the world, measures have been adopted to ensure a fuller development of the youth of the country. In England Lord Baden Powell started the Scout movement as he felt that although the youth in his country was academically well qualified, it lacked in strength of character, resourcefulness, initiative and determination. This movement gained momentum in India also. Here too, the urge for military training was felt as far back as 1925, when the Auxiliary and Territorial Forces Committee pointed out the necessity for military training to ensure full development of youth. The University Training Corps was set up in 1925

which became the recognised recruiting ground for officers, non-Commissioned Officers and men for the Army. As the UTC did not fulfil the purpose for which it was set up, it was decided to review it. In 1946 the National Cadet Corps Committee was formed headed by Sri H. N. Kunzru, to make recommendations for establishment of National Cadet Corps. Accordingly, the National Cadet Corps made a humble beginning on 15th July, 1948 under the NCC Act, 1948, with the following aims:—

- (a) to develop character, comradeship, the ideal of service and capacity of leadership in young men and women.
- (b) to provide 'Service' training to young men and women so as to stimulate interest in the defence of the country, and
- (c) to build up a reserve of manpower to enable the Armed Forces to expand rapidly in a National emergency.

The Organization is headed by a Director of the rank of Brigadier with headquarters at Lucknow, who works under the general supervision of the Director-General, NCC, New Delhi. There are fifteen NCC Group Headquarters at Agra, Aligarh, Allahabad, Bareilly, Dehra Dun, Gorakhpur, Ghaziabad, Kanpur (A), Kanpur (B), Lucknow, Meerut, Nainital, Roorkee, Varanasi (A) and Varanasi (B), each commanded by a Lt. Colonel. Each Group Headquarters looks after three or four districts and has about 10 Units under command, each commanded by an officer of the rank of Major. At a district headquarters level, there is a Unit Commander, also of the rank of Major, to advise on NCC matters. NCC Units consist of the following Cadet Battalions:

- (a) *Senior Division.* Army (includes Engineer, EME, Signals and Medical Units), Navy and Air Units.
- (b) *Junior Division.* Army, Navy and Air Units.
- (c) *Girls Division.* Senior and Junior Wing Girls Units.

9.1.34. The Senior Division Cadets are between the ages from 15 to 26 years and those in the Junior Division from 13 to 17 years. For Senior Division Cadets, the Compulsory NCC Training is for a duration of 3 years during which they are required to attend two camps each of 10 days duration. The cadets of Air, Navy and Technical Units attend three camps in three years. Cadets of Junior Division and Girls Division undergo a two years course and attend one camp. From August, 1963 compulsory NCC Training has been introduced for all students of degree classes. Auxiliary Cadet Corps was finally disbanded with effect from March 31, 1966 and was merged with NCC. Similarly, it was decided in April, 1967, to disband Pradeshia Shiksha Dal and to arrange that all students of Intermediate classes were trained in NCC Units. That decision was, however, not finally implemented.

## Acts, Manuals, Rules, etc. relating to Education Department

<i>Sl. No.</i>	<i>Name of Act, Manual or Rule</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<b>Acts</b>			
1.	Municipal Board Compulsory Primary Education Act	1919	State Government
2.	(a) Intermediate Education Act	1921	"
	(b) Intermediate Education (Amendment) Act	1958	"
3.	District Board Primary Education Act	1926	"
4.	Pradeshiya Shiksha Dal Act	1958	"
5.	(i) Lucknow University Act	1920	"
	(ii) Canning College Act (The College was subsequently merged in the University)	1922	"
6.	Allahabad University Act	1921	"
7.	Agra University Act	1926	"
8.	Gorakhpur University Act	1956	"
9.	Varanaseya Sanskrit Vishwavidyalaya Act	1956	"
10.	Universities Amendment Act	1956	"
11.	Universities Act	1959	"
12.	Kanpur and Meerut Universities Act	1965	"
13.	U.P. Universities (Provisions Regarding Conduct of Examinations) Act	1965	"
14.	National Cadet Corps Act	1948	Govt. of India
<b>Manuals and Rules</b>			
1.	Manual of Compulsory Primary Education	1921	State Government
2.	District Board Education Rules	1929	"
3.	U.P. Municipal Boards Educational Establishment Rules	1954 (Amended in 1957)	"
4.	U.P. Educational Code	1906 (Revised in 1958)	"
5.	Regulations under the Intermediate Education Act, 1921	1959	"
6.	Education Rules under Kshettra Samities and Zila Parishad Act, 1961	Under preparation	"
7.	Oriental Languages Teachership Examination Rules	—	"
8.	Code of Regulations for European Schools	—	"
9.	National Cadet Corps Rules	1950	Govt. of India

## ANNUAL ADMINISTRATION REPORT

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Report on the progress of Education	April-March	1843	Director of Education

Chart showing the organization at the headquarters office of the Director of Education, U. P.

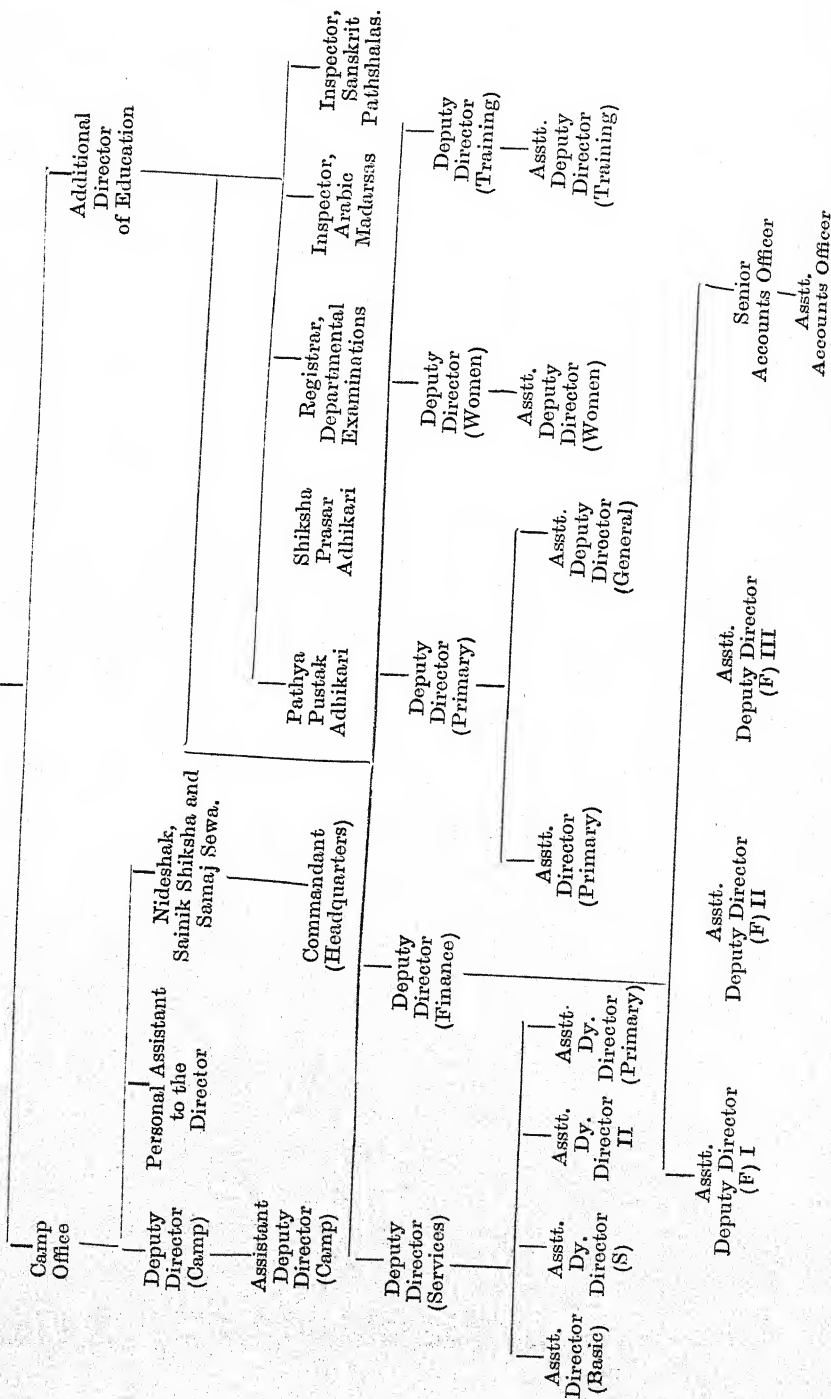
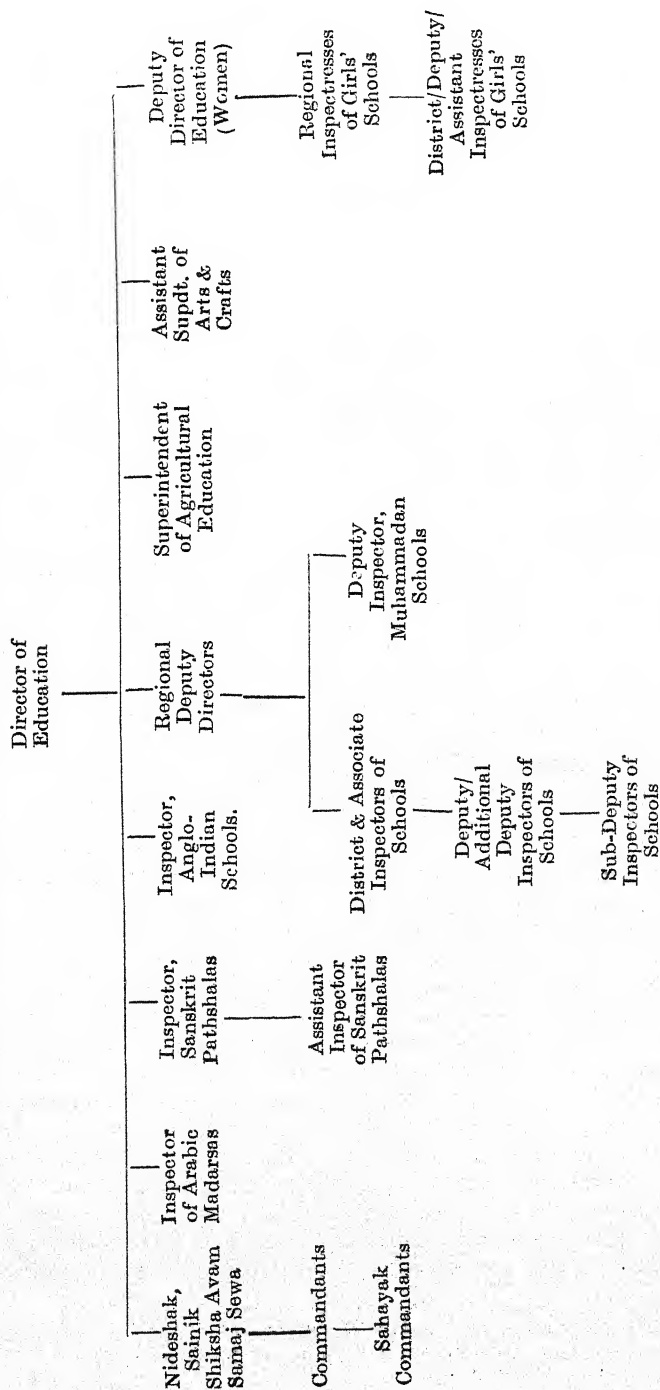


Chart showing the organization at Regional and Field Levels in the Directorate of Education.





## 9.2. DEPARTMENT OF TECHNICAL EDUCATION

9.2.1. Till the middle of 1961, technical education in the State was the concern of three departments of the Government, viz., Industries Department, Power Department and General Administration Department. The institutions under the control of Industries Department, looked after by the Technical Education Section of the Directorate of Industries at Kanpur, were Government Technical Institutes (now known as Government Polytechnics) at Lucknow and Gorakhpur, and the aided institutions at Mathura and Agra running diploma courses mainly in Electrical and Mechanical Engineering. Besides engineering courses, the Harcourt Butler Technological Institute, the Government Central Textile Institute and the Government Leather Working Institute (now called Government Leather Institute) all at Kanpur, and the Northern Regional School of Printing Technology at Allahabad offered courses in different technologies. There were also a number of other Government institutions of certificate standard and a large number of aided technical institutions. The University of Roorkee,<sup>7</sup> the Moti Lal Nehru Engineering College at Allahabad, the Madan Mohan Malviya Engineering College at Gorakhpur, which are autonomous institutions,<sup>8</sup> and aided institutions, viz., the Engineering College, Dayalbagh (Agra), the Hewett and Civil Engineering Schools (now known as Hewett Polytechnic and Lucknow Polytechnic) at Lucknow, and other civil engineering schools set up at various places from 1954 to 1956 were the concern of Power Department. An Ad Hoc Advisory Board of Engineering Education with its office in the University of Roorkee was also set up under the Power Department in 1956 to regulate admissions and to conduct examinations of Overseer Schools. The All India Council for Technical Education, established by the Government of India in 1945, started standardisation of technical courses on all-India basis and laid down standards of syllabus, requirements of equipment and staff. The State Government were asked by the Government of India to develop their institutions on the standard pattern laid down by the Council. The Government of India also recommended to the State Government to set up in each State a Board of Technical Education and a separate Department of Technical Education. This resulted in the setting up at Lucknow in 1958 under the General Administration Department a State Board of Technical Education and Training; later called the Board of Technical Education. Subsequently in 1961, the Section dealing with Technical Education in the Directorate of Industries at Kanpur was converted into a separate Directorate of Technical Education under the administrative control of the Industries Department to look after all the administrative work relating to diploma institutions including those Civil Engineering Schools which were until then being directly supervised by the Power Department.

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7. Constituted under the Roorkee University Act, 1948.

8. These Colleges are affiliated to the local Universities for purposes of examinations and award of degrees.

ment, as also the degree institutions of Harcourt Butler Technological Institute and Government Central Textile Institute, Kanpur. It also continued to look after the Certificate institutions under the control of Directorate of Industries, other than those institutions imparting craftsmen training, which were under the administrative control of the Labour Department. At the level of the Government, all work concerning diploma institutions was thus centralized for better planning and control in Industries Department by transferring to it the matters concerning the Board of Technical Education from General Administration Department and the diploma institutions as were under the Power Department. The University of Roorkee and the degree institutions, imparting education in Civil, Electrical and Mechanical Engineering continued to be under the control of the Power Department.

9.2.2. Subsequently, in view of the importance of technical education, as also with a view to having an unified and better control on it in the field as well as the Secretariat, it was decided to create in January, 1965 a separate Department of Technical Education out of the existing Industries Department by transferring to it the institutions dealt with till then in the Power Department and to entrust it all work relating to diploma and higher technical courses, including the determination of syllabii, conduct of examinations and inspections under the charge of a separate Secretary to the Government, who with effect from July 11, 1968, after the Department was placed under the Minister for Education, was the Secretary, Education Department. The management of diploma institutions run by the Harijan Sahayak Department was left in 1965 with the Director of that Department. The work relating to certificate courses at Government Industrial and Technical Institutions, till then dealt with in the Industries Department, was transferred to Labour Department. The private industrial and technical institutions in the State, ninety-four in all, most of which were continuing to get grants-in-aid from the Government through the Directorate of Technical Education, were also transferred with effect from June 7, 1969 to the Social Welfare Department and placed under the control of the Directorate of Social Welfare. It was arranged that these institutions, even after transfer to the Directorate of Social Welfare, would continue to be governed by the Grants-in-Aid (Technical and Industrial Institutions) Rules, 1949, till the latter were modified or amended by the Social Welfare Department. These institutions include institutions for boys and girls conducting courses in tailoring and other crafts; institutions giving technical training other than tailoring and allied crafts, such as leather working, weaving, carpentry, etc., and institutions for which no examinations are conducted, such as schools for deaf, dumb and blind people; orphanages, etc. There are also some other institutions, which do not receive grants-in-aid but for which examinations are conducted.

9.2.3. The Secretariat officers who, except the Superintendent, also work for the Education Department, are:

Secretary

1

Joint Secretary	1
Under Secretary	1
Assistant Secretary	1
Superintendent	1

The Secretariat staff too of the Department, which hitherto continued to form part of the Industries Secretary's Branch, constituted with effect from September 2, 1969 a part of Education Secretary's Branch.

9.2.4. The Department looks after the affairs of the Directorate of Technical Education, the Board of Technical Education, the Roorkee University, Roorkee, which is an engineering university and the Moti Lal Nehru Engineering College, Allahabad; the Madan Mohan Malviya Engineering College, Gorakhpur, both of which are under high-powered Boards of Governors and Principals and conduct degree courses in Civil, Electrical and Mechanical Engineering. The Harcourt Butler Technological Institute, Kanpur which hitherto was a Government institution, has now been converted into an autonomous body under a Director. The Institute conducts degree courses in various branches of technology including Chemical Engineering, Chemical Technology; Civil, Electrical and Mechanical Engineering and post-graduate courses in Applied Microbiology, Paints and Varnishes, Oils and Fats. A School of Paper Technology, which is now known as Institute of Paper Technology, was started at Saharanpur during 1964-65 for imparting training in two years' diploma and three years' certificate courses in Pulp and Paper Technology, one year Millwright Fitters Course and Refresher Courses for three to six weeks' duration.

#### I—DIRECTORATE OF TECHNICAL EDUCATION, U.P., KANPUR

9.2.5. The institutions under the Directorate are broadly Government institutions entirely administered by the Directorate, viz., Government Central Textile Institute, Kanpur, affiliated to the Agra University for degree courses in Textile Technology and Textile Chemistry, and to the Board of Technical Education for Diploma Courses in these subjects; Government Polytechnics at Azamgarh, Bareilly, Basti, Faizabad, Gonda, Gorakhpur, Jhansi, Kanpur, Khurja, Lucknow, Mirzapur, Moradabad and Sri Nagar (Garhwal) for diploma courses in Civil, Electrical and Mechanical Engineering; Northern Regional Institute of Printing Technology, Allahabad; Government Leather Institutes at Agra and Kanpur; Government Girls' Polytechnic at Lucknow for diploma courses in Electronics, Architectural Assistantship and Stenography and Secretarial Practice; and thirteen Government Secondary Technical Schools at Allahabad, Azamgarh, Bareilly, Daurala (Meerut), Faizabad, Ghazipur, Gonda, Gorakhpur, Jaunpur, Jhansi, Lucknow, Mirzapur and Moradabad imparting general education and training in engineering trades—all affiliated to the Board of Technical Education, Uttar Pradesh. There are also other industrial and technical institutions maintained through Boards of Management to which grants-in-aid were given by the Government hitherto through the Directorate of Technical Education

Some of them have now been placed under the control of the Directorate of Social Welfare, as already dealt with in the earlier section.

9.2.6. The Directorate advises the State Government on co-ordinated development of technical education, controls the functioning of all Government and aided institutions by periodical inspections through the officers of the Directorate, assists the private and aided institutions financially through grants-in-aid, keeps a watch over their progress and ensures a uniform policy of development. The Directorate also deals with the technical education loans which are granted at a rate of interest of four per cent.<sup>9</sup> per annum under the U.P. Technical Education Loans Rules, 1955, to those students who have aptitude for scientific and technical education and are ordinarily of more than average ability, but do not possess adequate means to pursue their studies for advanced courses. Loans up to Rs. 7,000 can be granted in India and up to Rs. 15,000 for studies abroad. Apart from these loans, the State Government also award stipends to students of this State for technical education in certain important institutions, viz., Indian School of Mines, Dhanbad; the Indian Institute of Technology, Kharagpur, J.J. College of Architecture, Bombay; Indian Institute of Science, Bangalore; and J.K. Institute, Allahabad. Scholarships to students of the State for studies in degree course in Leather Technology, post-graduate course in Textile Technology and Textile Chemistry and Electronics and post-graduate diploma courses in Aeronautical Engineering and Radio Physics, for which facilities are not available in the State, are also awarded.

9.2.7. The Director of Technical Education, who is the executive head of the organization, exercises supervision and control through two Deputy Directors of Technical Education, who are assisted by four Assistant Directors of Technical Education. There is also an Accounts Officer directly responsible to the Director of Technical Education for exercising vigilance over proper utilisation of funds.

9.2.8. The work of the Directorate can be broadly divided into the following Sections:

(i) *Establishment Section.* It deals with non-gazetted establishment in Government institutions under the control of the Directorate of Technical Education as well as with the work relating to the appointment of gazetted staff, in which case the appointing authority is the State Government. Suitable delegations of powers in respect of non-gazetted establishment have been made in favour of Deputy Directors and Heads of institutions.

(ii) *Finance Section.* It co-ordinates all financial proposals and keeps the Director informed with the pace of utilisation of funds provided under different schemes.

(iii) *Technical Education Loans, Stipends and Scholarship Section.* It attends to all work relating to sanctions, disbursements, utilisation

9. Raised from one per cent to three per cent with effect from September 1, 1965 and further raised to four per cent with effect from June 20, 1967.

and recovery of loans and sanctions and disbursement of stipends and scholarships.

(iv) *Plan and General Section.* It deals with all Plan work and grants-in-aid to aided institutions and the general work relating to control over all institutions.

9.2.9. The Director of Technical Education is empowered to sanction loans to students studying in the State of Uttar Pradesh. Applications for grant of loans to students studying outside the State and abroad are received by the Directorate of Technical Education. Those for studies abroad are placed before a Technical Education Loan Committee constituted at the level of the Government and consisting of the Secretaries to Government in Technical Education, Industries, Finance, Public Works and Planning Departments; and those for studies outside the State of Uttar Pradesh are placed before a Committee consisting of the Director of Technical Education; Director, Harcourt Butler Technological Institute, Kanpur, Vice-Chancellor, University of Roorkee; and Chief Engineers, Public Works, Irrigation and Electricity Departments.

## II—BOARD OF TECHNICAL EDUCATION, U.P., LUCKNOW

9.2.10. As has been stated earlier, a State Board of Technical Education and Training, later called the Board of Technical Education, was set up in this State in 1958 on the recommendations of the All-India Council for Technical Education, Government of India. The functions of the Board are: (i) to ensure co-ordinated development of technical education at all levels in accordance with manpower planning, (ii) to affiliate institutions conducting courses of diploma and certificate standards as approved by the All India Council for Technical Education, (iii) to prescribe standards of equipment, staff and buildings for institutions affiliated to it, (iv) to award diplomas and certificates which may be recognised on All India basis, and (v) to develop co-operative relationship with Industry and Commerce.

9.2.11. The Board was initially set up under the General Administration Department by an executive order of the Government and it started functioning in 1959 but it was intended from the very beginning to make it a statutory body. The Board comprised of twenty-six members with the Chief Secretary to Government, U.P. as its Chairman. The representatives of all the departments of the State Government concerned with technical education, viz., Power, Industries, Labour, General Administration and Finance Departments and those of Universities, Commerce and Industry were on the Board. The responsibility of conducting examinations which rested previously either with the Ad hoc Board of Engineering Education, Roorkee, or with the Director of Industries in so far as those diploma institutions for which courses had been approved by the All-India Council for Technical Education, was then taken over by the Board. The Ad hoc Board ceased to function in 1959 and the Directorate



of Industries also stopped conducting examinations of those institutions which were affiliated to the Board.

9.2.12. The Board of Technical Education was required to inspect the large number of Civil Engineering Schools set up in the State during 1954-56 and affiliated to the Ad hoc Board, for ascertaining which of them had the potentiality as well as the facilities for granting affiliation by the Board. These inspections resulted in the closing down of some of the sub-standard institutions and of some others being taken up subsequently for development by the Government of India and the State Government under Third Five Year Plan.

9.2.13. The total number of institutions affiliated to the Board is forty-nine (as in 1969-70), and except for the Government College of Arts & Crafts, Lucknow, which is under the administrative control of the Director, Cultural Affairs, U.P. and runs a three year diploma course in Architectural Assistantship since 1962 along with other courses, as also the Govind Ballabh Pant Polytechnic, Aryanagar Settlement, Lucknow, which is under the administrative control of the Director, Harijan and Social Welfare, U.P., all other institutions are under the administrative control of the Director of Technical Education.

9.2.14. The U.P. Pravidhik Shiksha Adhiniyam (U.P. Technical Education Act) enacted in November, 1962, made the Board a statutory body. It has been reconstituted under the Act and its membership raised to forty-one. After transfer of the Board from the administrative control of the General Administration Department to that of the Industries Department, the Secretary to Government in Industries Department was appointed its Chairman but with the setting up of a separate Department of Technical Education, the Secretary to Government, Technical Education, now holds that office.

9.2.15. The Secretary of the Board is its Chief Executive Officer under the provisions of the Act. He is assisted by a Superintendent of Examinations and other staff. The Chairman of the Board is a member of the Northern Regional Committee of the All India Council for Technical Education to ensure co-ordination between the All India Council and the Board. The Director of Technical Education is Vice-Chairman of the Board and *ex-officio* Chairman of its Examination Committee. As a rule, a nominee of the Board is on the Managing Committees of all aided institutions to ensure control and supervision over their academic matters.

9.2.16. The Board carries out its functions through various committees, some of which are Examination Committee; Textbook and Syllabus Committee, Inspection and Affiliation Committee, and Recognition Committee.

(i) *Examination Committee.* This is virtually the executive committee of the Board responsible for matters connected with admissions and conduct of examinations.

(ii) *Text-book and Syllabus Committee.* This committee is



responsible for prescribing the syllabus and standards of buildings, staff and equipment for various courses in accordance with the recommendations of the All India Council for Technical Education.

(iii) *Inspection and Affiliation Committee.* This committee is responsible for inspection of institutions which seek affiliation to the Board as also for inspecting institutions already affiliated to the Board to ensure that the standards prescribed by the Board are provided and maintained by them.

(iv) *Recognition Committee.* The function of this committee is to recommend to the Board the technical and professional qualifications of other examining bodies which could be recognised as equivalent to the diplomas and certificates awarded by the Board.

### 9.3. INFORMATION DEPARTMENT

9.3.1. An office known as Publicity Department was set up in 1933, for the scrutiny of government news published in newspapers and periodicals. It also administered the Press (Emergency Powers) Act, 1931.<sup>10</sup> The Department was renamed in 1937 as "Public Information Department" after adding to it a section of the Home (Police) Department which was known as the Newspaper Branch. On the outbreak of War, followed by the resignation of the Congress Ministry in 1939, the Information Department was utilised for organising war propaganda. Its organization and its activities, however, underwent a change after independence of the country, when for field work, the Information Directorate was added to it in 1947. Field Publicity Officers, later designated in 1949 as District Information Officers,<sup>11</sup> were appointed. The Community Listening Programme which originated in the Rural Development Department in the year 1939 and which provided facilities for listening to Panchayat Ghar Programme from the All India Radio was also transferred to this Department in 1947. With a view to effecting better control over the work of publications, a Publications Bureau was set up in the Department on April 1, 1951. With the advent of the Five Year Plans, the Field Publicity Units were transferred to the Planning Department in April, 1953, and District Information Officers were designated as Assistant Planning Officers. This arrangement was, however, found unsatisfactory and these units were, therefore, retransferred to Information Directorate in November, 1954. The Directorate was placed on a permanent footing on April 1, 1953. The main function of the Directorate is to maintain liaison between the Government and the people and to keep the public informed of the nation-building activities and policies of Government through various media of publicity and also keep Government informed of public reactions to its policies.

9.3.2. The Hindi Advisory Committee, which was originally constituted in 1947 under the Education Department to advise Government in selection of books received for rewards, was reorganised in 1955-56, and named as *Hindi Samiti*. The work of *Hindi Samiti* was transferred to this Department from July 16, 1960. The subject relating to grants-in-aid to aided music institutions, U.P. Sangeet Natya Bharati, (now known as U.P. Sangeet Natak Academy), etc., which was transferred to Information Department from Cultural Affairs and Scientific Research Department on March 6, 1961, was retransferred to that Department with effect from February 27, 1967.

9.3.3. The Information Department of the Secretariat and the Information Directorate which are located at Lucknow in Soochna

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10. This Act was later replaced by the Press (Objectionable Matter) Act, 1951, which too ceased to be effective in 1956.

11. The District Information Offices were wound up in September 1967 and the officers and other staff in those offices, were rendered surplus. Also see para 9.3.15.

Bhawan, near Banarasi Bagh, function as a combined unit. This important feature distinguishes this organization from most of the others. Besides the Secretary, who is either Secretary to the Chief Minister or Secretary to Government in any other department, the Director of Information is also a Joint or Deputy Secretary to Government in the Information Department. There is also an Under Secretary, who is also Deputy Director of Information. In the Directorate, there are several Assistant Directors, one Film Officer; an Officer-in-charge, Photography and Films; an Officer-in-charge, State Annual Report and a Radio Engineer at the headquarters.

9.3.4. The Department has three sections, one mainly for Secretariat work including scrutiny of news items and the other two for the Directorate. Their work consists of administration of the Press & Registration of Books Act, 1867; the Copy Right Act, 1957; scrutiny of news papers, action against newspapers and periodicals, subscription to P.T.I., U.N.I., Samachar Bharati, Hindustan Samachar and I.N.F.A. Services; annual returns from printing presses and newspapers and quarterly statements of the obscence and objectionable matters published in districts, Press Accreditation Committee, press tours, grants-in-aid to news agencies, memorials of martyrs of freedom movement of 1857, celebrations of national festivals, United Nations Day, *etc.*, policy regarding release of court notices to newspapers, maintenance of Information Centre at the State headquarters.<sup>12</sup>

9.3.5. The main activities of the Directorate fall under the following headings:

- (1) Press Information Bureau.
- (2) Publications Bureau.
- (3) Community Listening Scheme.
- (4) Field Publicity.
- (5) Films and Photography.
- (6) Exhibitions.
- (7) Scrutiny Section.
- (8) National Festivals and other Cultural Activities.
- (9) Hindi Samiti.

9.3.6. *Press Information Bureau.* The Bureau is under the charge of an Assistant Director, who is assisted by a News Editor, four News Officers and several Information Officers and Translators. The News and the Information Officers keep themselves in touch with the Secretariat Departments and heads of departments and collect material for dissemination to the general public and individuals through press notes, bulletins, articles, photographs, *etc.* The Hindi

12. Consequent on the abolition of district units (paragraph 9.3.15), Information Centres at District and Block levels were abolished.

and Urdu versions of the material are also prepared and simultaneously released to language news-agencies and newspapers according to standing mailing lists. Besides, the Bureau also covers the proceedings of both the Houses of the State Legislature and tour programmes of the Ministers and necessary material is released to the press for publication. The Bureau also supplies materials to the All India Radio, Lucknow for their daily broadcasts. It works from 8.00 A.M. to 11.00 P.M. daily including Sundays and holidays. During emergency, special care is taken to feed the newspapers with material regarding the activities of Government.

9.3.7. *Publications Bureau*: The main function of the Bureau is to establish liaison between the public and the Government through the medium of publicity literature. It is under the charge of an Assistant Director (Publications). The publications, which are priced as also for free distribution, are in the form of periodicals, pamphlets, folders, posters, etc., on development activities of different nation-building departments and on subjects of general interest. It publishes the State Annual Report giving an account of the administrative and development activities of all the departments of Government. The other journals published by the Bureau are *Uttar Pradesh Panchayati Raj* (Hindi Monthly) and *Naya Daur* (Urdu Monthly). The distribution of publications is done through the district officials, local bodies, educational institutions, etc. It also arranges equitable distribution of advertisements issued by Government departments amongst newspapers.

9.3.8. *Community Listening Scheme*. This scheme under which radio sets were originally installed in public places like libraries, labour centres, *panchayat ghars* in rural areas and educational institutions for community listening of the activities going on in the whole country, is under the charge of an Assistant Director of Information on the administrative side and Radio Engineer on the technical side. The Radio Engineer is assisted by two Additional Radio Engineers, one Assistant Radio Engineer and Technicians. He runs the Radio Workshop at the headquarters and Zonal Servicing Stations and Maintenance Centres in districts. The Assistant Director (Community Listening) is also the Chief Organizer of the Radio Rural Forums. This scheme, which was originally launched in 1959, and extended to the entire State, is now operative in the eight hill districts of Almora, Nainital, Garhwal, Tehri Garhwal, Dehra Dun, Chamoli, Uttar Kashi and Pithoragarh covered by the Hill Development Board. The All India Radio, Lucknow designs and broadcasts half-hour programmes for forum listeners. A monthly '*Dehati Radio Goshthi*' is also published and supplied free of cost to the conveners of the forums. The conveners explain broad outlines of the day's broadcast to the forum members, about half-an-hour before the programme begins and it is followed by a discussion on the talk. The object of the scheme is to impart non-academic education to adult population in rural areas and also to stimulate spirit for rural reconstruction activities.

9.3.9. *Field Publicity.* This is done under the charge of an Assistant Director of Information. District publicity units participate in local *melas* and shows to give a wide publicity of the various projects undertaken by Government through film shows and other media. These district units have now been abolished as a measure of economy drive. The revival of these units is, however, under consideration of the Government.

9.3.10. *Films and Photography.* The Assistant Director (Field Publicity) is in-charge of the work connected with films dealing with activities of the Government, documentary films, news-reels and photography. The former show the progress made in various spheres in the State, while the latter are compilations of coverages of important events in the State. The Assistant Director is assisted by a Film Officer and an Officer-Incharge, Films and Photography, besides a news-reel Cameraman and Photographers.

9.3.11. *Exhibitions.* There are three Exhibition Units at the headquarters of the Directorate—one comparatively big and the other two small, each under the charge of an Assistant Exhibition Officer. The Assistant Director, who supervises their work, is assisted by a Publicity Officer. These Units are responsible for publicity through the medium of models and charts concerning developmental as well as welfare schemes and matters of national interest. Exhibitions are organized at the headquarters and district levels on various occasions. The Units also participate in exhibitions at the State and All India levels.

9.3.12. *Scrutiny Section.* It is under the charge of an Assistant Director who, with the assistance of a senior Journalist, scrutinises (i) all newspapers and periodicals published in the State as also important ones of outside the State in order to keep the Government informed of public opinion and reaction to their policies and actions and (ii) books received under section 9 of the Press and Registration of Books Act, 1867. These books are sent by the District Magistrates to the State Library at Allahabad, which sends them to this Department for scrutiny.

9.3.13. *National Festivals and Cultural Activities.* Celebrations of national festivals like Independence Day, Gandhi Jayanti, Children's Day, Republic Day, etc., cultural programmes such as State Folk Song and Dance Festival on the occasion of Children's Day on November 14 are organized every year. Folk song and dance party adjudged best is sent every year to Delhi to participate in the programmes of "National Folk Dance Festival" organized by the Government of India with the help of Sangeet Natak Academi, New Delhi, and the "Songs of the Nation Builders" by the All India Radio organized on the occasion of Republic Day celebrations. The Directorate also sends a tableau every year to Delhi to participate in the pagentry procession taken out on that occasion.

9.3.14. *Hindi Samiti.* The Samiti, a historical background of which has been given earlier, was set up in order to foster Hindi, the



National Language of India, in its expansion. One of the Assistant Directors of Information functions as Secretary of the Committee. Its members, who are nominated by the Government, are representatives of various Universities and other educational institutions. Its functions are:

- (i) to disburse pecuniary assistance sanctioned by the Education Department to writers, scholars and artists in distress;
- (ii) to select and publish works of outstanding merit of other languages in Hindi; and
- (iii) to undertake the publication and sale of books in Hindi, suitable for higher studies or for reference purposes, specially on technical and scientific subjects.

It functions as a co-ordination committee for translation and publication of standard works in Hindi, besides being a translating agency under a similar scheme of the Government of India.

9.3.15. *District Field Publicity Units.* There was a District Information Officer in each district for carrying on publicity of development schemes and programmes of the Government in urban areas. These Units, along with the officers and staff, worked under the local administrative control of District Magistrates. The District Information Officers were expected to keep contact with other heads of offices at district level to acquaint themselves with the programmes of different departments so that they could utilize the information in their publicity work. They were members of the District Planning Committee, Social Education and Youth Programme Committee, Family Planning Committee at Divisional headquarters and Block Development Committees. They liaised with the press at the district level and kept contact with the rural public by extensive touring and organizing public meetings, by distribution of publicity material in fairs, exhibitions, etc., and through film shows. They helped Block Development Officers in organizing and supervising Radio-Rural Forums under the Community Listening Scheme. Government decided in April, 1967 to wind up the District Information Offices<sup>13</sup> in the State except in the three border districts of Uttar Kashi, Chamoli and Pithoragarh. The charge of each of these offices, with practically very little staff, was taken over in September, 1967 by a Deputy Collector on the strength of the district. There were also seventy-four Tahsil Information Centres, but they were merged in 1966, with the Information Centres at Development Block Headquarters.

9.3.16. *State Information Centre, Hazratganj, Lucknow.* It was set up in the year 1956 and Children's and Women's Sections were added to it later. There is also a Reference Section where important and useful books and reports are available. A number of

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13. Most of the District Information Officers and Additional District Information Officers were absorbed in District Family Planning Bureaux under the Public Health Department as Health Education-cum-Information Officers.



newspapers, journals and magazines are provided as reading material to the general public. Films of educational and informative value are exhibited for women and children occasionally. A sale depot for publications of the Information Department, Hindi Samiti and other departments of Government, known as "Soochna Sahitya" is attached to the Centre.

9.3.17. *Zonal Radio Servicing Stations and Maintenance Centres.* Zonal Servicing Stations, each under the charge of an Assistant Radio Engineer exist at Lucknow (attached to the headquarters) and at Dehra Dun, Chamoli and Pithoragarh<sup>14</sup> for repairing radio-sets of the Community Listening Scheme now operating in the eight hill districts, as cannot be repaired in the districts by radio inspectors at their Radio Maintenance Centres.

9.3.18. Important Committees of the Department are:

(i) *Standing Committee of Legislature on Information.* The Committee holds its meetings from time to time to advise Government on policy matters concerning their publicity organization. The Committee consists of the Minister for Information as its Chairman and the members of the State Legislature as its members.

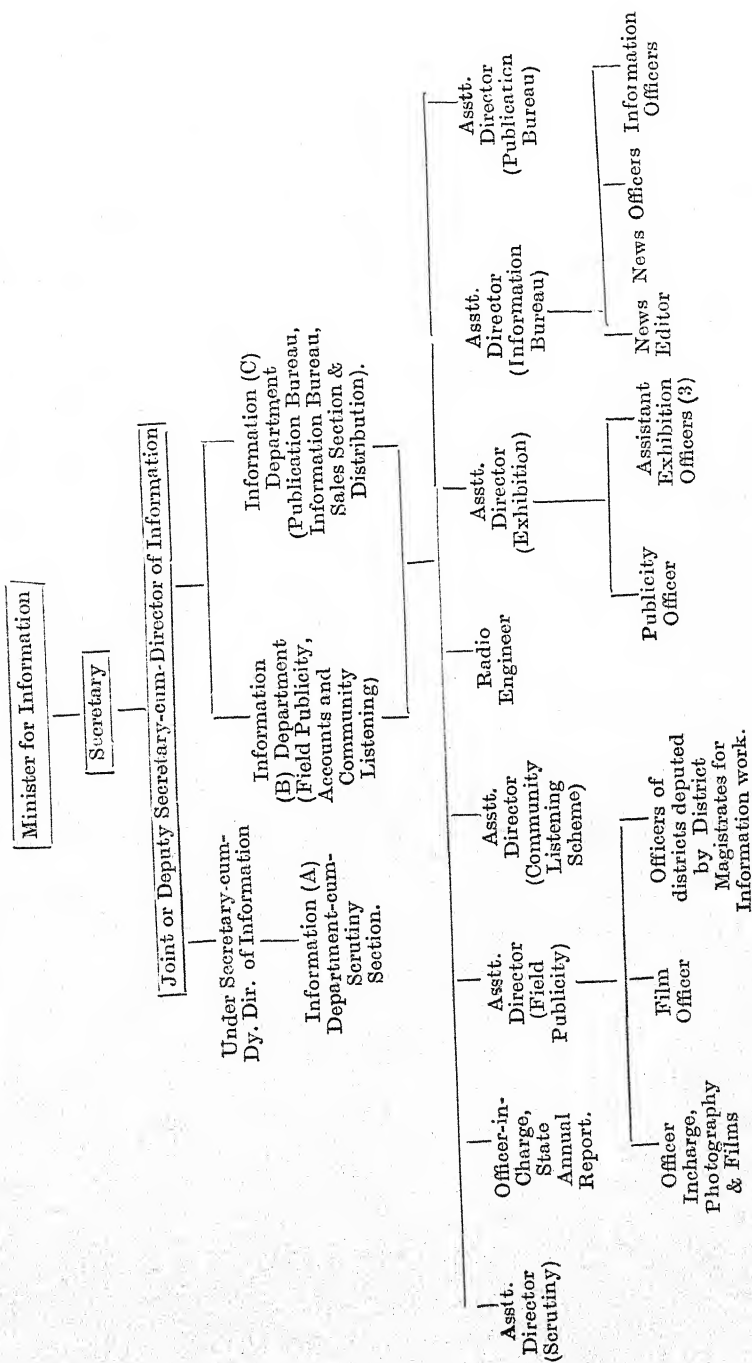
(ii) *U.P. Press Accreditation Committee.* The Committee consists of the representatives of the All India Newspaper Editors' Conference and the Indian Federation of Working Journalists in the State. The Committee is constituted for giving advice to Government on matters relating to grant of accreditation to Press representatives at the headquarters of Government and at District headquarters for a period of two years each time.

(iii) *Uttar Pradesh Consultative Committee.* This Committee, though not yet constituted, is intended to consist of representatives of the Press, Members of Uttar Pradesh Legislature, prominent public men and officials, with the Information Minister as its Chairman, for establishing a closer liaison between the Government and the Press on matters of common interest. The Director of Information will act as its Secretary.

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14. When the Community Listening Scheme was operative throughout the State, these Servicing Stations existed at Lucknow, Agra, Allahabad, Etawah, Faizabad, Gorakhpur, Jhansi, Meerut, Moradabad, Naini Tal, Pithoragarh and Varanasi.

Organization Chart of the Information Department/Information Directorate



#### 9.4. MEDICAL, PUBLIC HEALTH AND FAMILY PLANNING DEPARTMENTS

9.4.1. The Department of Public Health was created in the State in 1868 on the recommendations of the Royal Commission of 1859 and it was placed under the administration of a Sanitary Commissioner. The main attention was given to sanitary improvements in towns and to the combating of epidemics in urban areas. The Malaria Branch of the Department was established in 1908 under a Special Malaria Officer. In 1914, a quasi-provincial service of medical officers of health and sanitary inspectors was formed at the instance of the Government of India. Government met approximately half the pay of these officers and the other half was met by local bodies. The system of medical relief too was predominantly local. The State Government then maintained and managed through the Inspector General of Civil Hospitals the large hospitals at Lucknow and Agra, which were attached to the Medical College and the Medical School respectively, the European Hospital at Allahabad, a small hospital at Roorkee and a number of dispensaries for the treatment of officials in the police, forest and canal departments. The hospitals and dispensaries were mostly local institutions managed nominally by district boards, but staffed by government servants—the civil surgeons who were paid entirely from provincial revenues, the assistant surgeons half of whose pay was contributed by the district boards, and the sub-assistant surgeons whose pay was entirely met by district board contributions. There was a *sadar* hospital at each district headquarters, a dispensary at almost every tahsil headquarters and a small number of dispensaries at other places. The Dufferin Fund, a private organization, aided by the grants from Government and local bodies, gradually established female hospitals in most of the important towns. This system was, however, more urban than rural. Medical relief depended, in short, on the initiative of local officers. It advanced very slowly and was quite inadequate for the needs of the population.

9.4.2. In 1920, Government first took up a scheme for the formation of a service of district medical officers of health, which was first started in 1922 in two districts. With the introduction of Reforms in 1921, the constitution and the status of the Public Health Department was considerably changed. Public Health became a 'transferred' subject under the control of the Legislature and was administered by the Director of Public Health. Activities of the Department were gradually extended to rural areas. Supervision of public health arrangements were in the hands of Civil Surgeons, whose substantive duties of medical administration of the district left little time for public health work. By 1927, rural health scheme was extended to all the districts and the entire expenses were thenceforth borne by the State Government. Arrangements for prompt reporting and accurate registration of vital statistics, which form the basis of all public health work, were made. On the medical side,

attention was directed in the first place to the encouragement of the indigenous systems of *ayurvedic* and *unani* medicine and secondly to the gradual assumption by the Government, the entire cost of *sadar* hospitals and thus release district boards funds for rural dispensaries and municipal funds for sanitary improvements. A Board of Indian Medicine was also established in 1926 to lay down standards for education in the indigenous systems and to control the training and registration of practitioners of those systems. Formerly there were four separate services in the Medical Department, apart from the women's services, namely—

1. The Indian Medical Service,
2. The Indian Medical Department,
3. The United Provinces Medical Service, and
4. The Provincial Subordinate Medical Service.

The first was an All-India service, the second a Central service and the third and the fourth were purely provincial services. After the Department was placed in the 'transferred' list as a result of 'Reforms', difficulties had arisen from the State (then provincial) Government's lack of full control over the first two services and from the competing claims of the first three.<sup>15</sup> The Indian Medical Service was primarily a military service maintained to supply the needs of the Indian army. Its war reserve was employed in Civil medical work in the States. The system had certain advantages in the circumstances of those days from the point of view of the Central Government, for it was economical, as it provided useful employment for a reserve which was to be maintained, but for which the army could not find employment in time of peace. The competing claims of the Indian Medical Service and the U.P. Medical Service officers at times gave rise to racial and service questions. The difficulty was aggravated by the fact that recruitment to the Indian Medical Service, unlike recruitment to All-India services operating in other 'transferred' departments, *e.g.*, Agriculture Department, Education Department, Public Works Department (Buildings and Roads Branch), *etc.*, had not been closed and the State had to take I. M. S. officers, partly to absorb the army reserve and partly to provide medical attendance for British officials and their families. Gradually the number of posts of Civil Surgeon reserved for Indian Medical Service was reduced. After Independence, as a result of the change-over the service practically ceased to exist, and all vacancies in the post of civil surgeons were later filled by the officers of the U.P. Medical Service. The Indian Medical Department, like the Indian Medical Service, was also primarily a military service maintained to provide a reserve of medical officers for attendance on the British units of the army in India in time of war, who in time of peace were absorbed in civil employment in the provinces. It was composed of

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15. Report on the working of the system of Government, United Provinces of Agra and Oudh, 1921-28, p. 412.

domiciled Europeans and Anglo-Indians. A change took place in 1923, when the Government of India undertook to send no more Indian Medical Department officers to the province and agreed that in future no posts of Civil Surgeon should be specifically reserved for these officers. Gradually, vacancies as they occurred were filled by officers of the U.P. Medical Service. The Provincial Medical Service was "purely provincial, entirely civil, and altogether Indian." The Provincial Subordinate Medical Service used to supply officers to hold charge of the less important dispensaries and to act as assistants in other dispensaries and hospitals. The qualification for admission to the Service was that given by the Agra Medical School. Later, towards 1927, Government had adopted a policy of allowing District Boards to employ their own medical officers of this class. The Women's Medical Service was initially, strictly speaking, only a semi-government service and was under control of the Dufferin Fund. The provincial committee of that Fund controlled the members of that Service, who were incharge of Dufferin hospitals in the State and also the women assistant surgeons and the women sub-assistant surgeons, who corresponded respectively to Provincial Service and Subordinate Provincial Service officers. Services under the Dufferin Fund were, however, taken over (provincialized) by the State Government in 1944. Before 1945, there were thus left only two cadres for doctors in Government service, viz., 'Provincial Medical Service' for medical graduates and a non-gazetted 'Provincial Subordinate Medical Service' for medical licenciates, both for men and women. In 1946, a new cadre for a gazetted service, viz., P.M.S. (II) was set up eventually to replace entirely the Subordinate Medical Service of the State, and the medical officers of the former P.M.S. were differentiated as to be members of P.M.S. (I), the medical licenciates who could not be absorbed in P.M.S. (II) continued in the P.S.M.S. With effect from November 1, 1964, both these cadres of P.M.S. (I) and P.M.S. (II) were merged into one Service, each for men and women, viz., Pradeshik Medical Service and Pradeshik Medical Service (W) respectively.<sup>16</sup> Health services in Municipal Boards and District Boards were earlier under the control of local bodies, but over-all control on them was with the Director of Public Health. The services of medical men on the Health side were gradually 'provincialised' and in June, 1934, a gazetted 'Provincial Health Service' was formed. That service too was later converted into P.H.S. (I) and P.H.S. (II), as on the Medical side. Those two cadres were also again merged into one service, viz., P.H.S. with effect from November 1, 1964. The State Government have accepted the proposal of the Government of India to join the Indian Medical and Health Service, which is going to be constituted under the All-India Services (Amendment) Act, 1963. In the beginning, it is proposed to include in the Service all the district level and other senior posts included at present in the Selection Grade of the P.M.S. However, provision is

16. There is at present a Selection Grade (Class I) in these Services consisting of ten per cent of the total number of permanent posts in the ordinary grade (Class II).



also being made in the Service for some unspecified junior posts. Teaching and Research posts will not be included in it.<sup>17</sup>

9.4.3. The concept of simultaneous application of preventive as also remedial measures to maintain the health of the community was, however, not fully appreciated earlier. On the recommendation of the Health Survey and Development Committee, 1946 (Bhore Committee) to that effect, Medical and Public Health administrations, which were separate Departments, were placed in March, 1948 under a single administrative head, viz., the Director of Medical and Health Services, U.P. for promotion of health and prevention of illness and treatment of diseases, thus placing greater emphasis on the preventive aspect too.<sup>18</sup> The Director was later designated as Director, Medical and Health Services and Family Planning, Uttar Pradesh in April 1968, because of the added importance to the Family Planning programme.

9.4.4. The Ayurvedic and Unani dispensaries were formerly functioning under the administrative control of Rural Development Officer mostly through the system of grants-in-aid. Later, when the Rural Development Department was amalgamated with the Co-operative Department, these dispensaries were placed in October, 1947 under the control of the Chief Inspector of Indigenous Dispensaries, who was actually a Deputy Secretary to Government in Medical Department, and local control at district level was transferred to the District Medical Officers of Health. In the meantime, Government appointed the U.P. Ayurvedic and Unani Systems' Reorganization Committee, on whose recommendation Government converted in 1949 the post of Chief Inspector into that of Deputy Director and transferred the administration of the Ayurvedic and Unani Systems to him under the overall administrative charge of Director of Medical and Health Services. A separate Directorate of Ayurveda and Unani Services was later established in July, 1961.

9.4.5. The portfolio of Medical, Public Health and Family Planning Departments is held by the Minister for Medical and Public Health. The Departments function in the field through the Director of Medical and Health Services and Family Planning, U.P. and the Director of Ayurvedic and Unani Services, Uttar Pradesh. The Secretariat staff consists of:

Secretary	..	1
Joint Secretary, Family Planning	..	1
Deputy Secretary	..	2
Under or Assistant Secretary	..	1
Superintendent	..	5

17. Further details were being worked out when the book was in the press. (See also paragraph 4 of sub-Chapter 3.4 on Classification of Services, etc., of Chapter 3 on Personnel Administration).

18. The corresponding change in the Government of India was amalgamation of the offices of the Director General of Indian Medical Service and the Commissioner of Public Health into that of the Director General of Health Services.



9.4.6. The work dealt with in different sections of the Departments is as follows:

*Medical (A—I) Department:*

Medical education and research; State hospitals and clinics at district headquarters; pathological laboratories and pathologists, Cancer Institute, Kanpur; dental services, hospital funds, hospital diet and equipment.

*Medical (A—II) Department:*

P.M.S. (Men and Women), Indian Medical and Health Service, matters relating to Provincial Sub-ordinate Medical Service, Civil Surgeons, antirabic treatment, anaesthetics, co-ordination of plan schemes, health insurance, nursing services, honorary doctors and Medical Boards.

*Medical (B) Department:*

Medical facilities in rural areas, primary health units; mental hospitals, eye relief, medical facilities to government servants, leprosy and tuberculosis control, grants-in-aid to institutions; Medical Faculties and Councils, Employees' State Insurance, Bacillus Calamette Guerin (B.C.G.), and Tuberculosis Training and Demonstration Centres.

*Medical (C) Department:*

Ayurvedic, Unani and Homoeopathic services, grants-in-aid to non-State medical institutions of the aforesaid systems of medicine, as also to *vaid*s and *hakeems* and Health Minister's Charity Fund.

*Public Health Department:*

Malaria, Cholera, Plague and Small-pox eradication measures; vaccination, Drugs Act, family planning, epidemics, Government Quinine Factory; Government Vaccine Institute, Patwa Dangar; grants for public health purposes, industrial health, maternity and child welfare, nutrition, Pharmacy Act, registration of births, deaths and marriages; sanitation, school dispensaries, affairs of Shri Badri Nath and Shri Kedar Nath Temples,<sup>19</sup> prevention of adulteration in food and drugs, objectionable advertisements and quality control on vegetable oil products.

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19. The affairs of Shri Badri Nath and Shri Kedar Nath temples and administration of the related Act, etc., are being dealt with here since the very beginning when, for the sake of convenience, the subject was assigned to the Public Health Department under Secretary, Local Self Government,—there being no particular department at that time for looking after religious endowments and various social services. The subject, however, now relates mainly to Social Welfare Department.

**DIRECTORATE OF MEDICAL AND HEALTH  
SERVICES AND FAMILY PLANNING, U.P.,  
LUCKNOW.**

9.4.7. The Director of Medical and Health Services and Family Planning, who is the administrative head of the Organization, is assisted by an Additional Director (Administration), an Additional Director (Health), a Joint Director (Medical Education), a Joint Director (Family Planning), several Deputy and Assistant Directors dealing with different sections of departmental activities at the headquarters, viz., Malariology, Small-pox, Bacteriology, Epidemiology and Vital Statistics, Provincial Hygiene Institute, Nutrition, Health Education Bureau, Maternity and Child Health, Drug Control, Family Planning, B.C.G. Campaign, etc., and two Personal Assistants—one on Medical and the other on Health side. The Department also runs the State Vaccine Institute at Patwadangar under a Deputy Director. The Public Analyst to Government at Lucknow helps the Department in enforcing the provisions of Drugs Act, 1940 and Prevention of Food Adulteration Act, 1954. The Director is also head of the department for the organization under the Chemical Examiner to the State Government at Agra.<sup>20</sup> Details of activities in various fields are given in the following paragraphs.

9.4.8. *Medical Education.* Originally, there was only one medical school established in 1854 at Agra to turn out medical licentiates. In 1911, another medical institution was founded in Lucknow, known as King George's Medical College. The College, as well as the hospital attached to it, were transferred to the Lucknow University in 1921. The Agra Medical School was upgraded to a College in 1939, and affiliated to the Agra University. A Dental College was opened in 1949 in Lucknow and attached to the King George's Medical College and Hospitals, Lucknow. These were followed by the Ganesh Shanker Vidyarthi Memorial Medical College at Kanpur in 1955 affiliated to the Lucknow University (now to Kanpur University) and Motilal Nehru Medical College, Allahabad in 1961 affiliated to the Allahabad University. Another medical college at Meerut was started in 1966 and that at Jhansi in 1968. A medical college at Gorakhpur is expected to be started during the Fourth Plan. In addition, there is a College of Medical Sciences attached to Banaras Hindu University, Varanasi and Jawahar Lal Medical College attached to Aligarh University. Besides the normal M.B.B.S. degree course in medical colleges and B.D.S. degree course in the Dental College, these institutions also provide for post-graduate courses in various fields of specialisation.<sup>21</sup>

20. For details about Chemical Examiner, see Chapter 6.3 on Home (General) Department, p. 172.

21. Government constituted in October, 1969, while the book was in the press, an expert committee consisting of the Principals and a few Professors of various Medical Colleges of the State; the Director, Medical and Health Services and Family Planning and the Joint Director (Medical Education), to examine the pattern of medical education in the State in the light of recent progress in medical studies and research.

9.4.9. *Nursing Services.* The nursing profession had its origin in the State in 1913 and in 1917 the State Government set up a Board, viz., State Board of Medical Examinations, to start nursing education on a uniform pattern. Prior to the setting up of the Board any hospital or institution could train its own nurses and award the certificates. The Board started recognising the hospitals and institutions which were training nurses. The Board continued to function till 1926, when the State Medical Faculty was established which took over the function of conducting nurses' examination as well as granting recognition to the hospitals and institutions training nurses. Formerly, the nursing service was entertained by the Dufferin Fund or the local bodies. After the service was taken over by the Government in 1944, it was placed under charge of Superintendent of Nursing Services, now upgraded as Deputy Director, Nursing Services. With the expansion of nursing scheme, a Deputy Superintendent of Nursing Services was appointed in 1961. The main functions of the nursing section are administration of nursing services in various State Hospitals as well as to train personnel for providing the necessary nursing services. A Matron is usually appointed to supervise and control the nursing service in hospitals having more than 75 beds. An Assistant Matron is provided in hospitals which have beds between 50 to 75 whose functions are the same as those of Matron of a large hospital.

9.4.10. *Epidemiology and Vital Statistics.* This Branch is responsible for the control of all epidemic diseases in the State under the charge of a whole-time Assistant Director, assisted by an Assistant Epidemiologist. It mobilizes anti-epidemic staff and supplies, as and when necessary. For this purpose there is a cadre of Epidemic Assistants, Nursing Assistants and temporary Medical Officers on epidemic duty to be employed according to necessity. An Epidemic Stores Depot in charge of a Medical Officer is also maintained for the supply of all kinds of drugs and equipment needed for anti-epidemic work in rural areas. A Statistics Section attached to this Branch compiles vital statistics of the State. These are collected from registered medical practitioners, vaccinators, individuals and village panchayats through Municipal and District Medical Officers of Health.

9.4.11. *State Malaria Branch.* This Branch is under the charge of a Deputy Director (Malarialogy), who is helped at the headquarters by two Assistant Directors, one Deputy Assistant Director, an Entomologist and an Entomological Assistant. The functions of the State Malaria Organization are (a) to eradicate malaria, (b) to conduct malaria research, (c) to train personnel for anti-malaria work, (d) to run the Government Quinine Factory, and (e) to conduct filaria surveys and supervise filaria control. The manufacture of quinine and cinchona tablets for supply to Government departments and local bodies was started under this Branch at Lucknow in 1932. Malaria control work in the State was at first carried out under the National Malaria Control Programme, with units spread throughout the State. The programme was subsequently changed to National Malaria Eradication programme and is at present looked after by nine zonal Deputy

Assistant Directors (Malaria) each posted at Lucknow, Faizabad, Kanpur, Meerut, Bareilly, Allahabad, Varanasi, Gorakhpur and Rudrapur (district Naini Tal). There is an Anti-Malaria Officer at the district level for eradication phase of malaria, which includes preparatory, attack and consolidation phases for eradication of the disease. He is assisted by Assistant Unit Officers, Senior Malaria Inspector, Malaria Inspectors and House Visitors. The maintenance phase of the eradication programme is looked after by the District Medical Officer of Health with the help of Health Inspectors at the Block level and Basic Health Workers at the periphery. Sixty-seven units are functioning in the State under eradication and maintenance phases.

9.4.12. *Filaria Control.* The National Filaria Control Programme was launched in this State in 1955 by establishment of Control and Survey Units. At present there are ten such units functioning in the State. Each Control Unit which covers a population of three lakhs is under the charge of a Filaria Control Officer assisted by a Research Officer and an Assistant Entomologist. In addition, there are survey units, one unit for every four districts, in which Filaria Control work is being done. The work at the headquarters is supervised by the Deputy Director (Malariology) and his headquarters staff.

9.4.13. *Maternity and Child Welfare Section.* Prior to 1948, Maternity and Child Welfare work in Uttar Pradesh was being done by the U.P. State Branch of the Indian Red Cross Society. There was at the head a Director for Maternity and Child Welfare for inspection of rural and urban maternity centres. Though paid by the Red Cross, she worked under the administrative control of Director of Public Health, who was also the Vice-Chairman of the organization. In 1948, the entire service in the rural area was provincialized and its administration was taken over by the State Government. Urban Maternity and Child Welfare Services, however, continued to be under the local bodies and other voluntary organizations. The Maternity and Child Welfare Section is now under the charge of a whole time Assistant Director, assisted by an officer of the Public Health Service. The two main functions of this Section are to organize maternal and child welfare centres in rural areas and to train Maternity and Child Health personnel. The Training Wing is looked after by a Deputy Director (Training). Regional Maternity and Child Health Office exists at Varanasi and another is likely to be set up at Meerut. Training of Maternity and Child Health personnel is arranged at a number of places; amongst them the Silver Jubilee Health School at Lucknow is important.

9.4.14. *Health Education Bureau.* This Bureau, originally named the Hygiene Publicity Bureau, was established in 1920 as a part of the Health Directorate. A State Health Education Officer looks after the running of the Bureau to which assistance has also been provided by the World Health Organization. The Bureau produces media for mass communication, such as posters, booklets, etc., for free distribution. It consists of an Administrative Section with a Sociologist and a Statistician, a Store and Distribution Section, a Material Section

with a technical officer, an artist, an audio-visual van, and field study and demonstration centres at Block headquarters under a Medical Officer of Health assisted by a Sanitary Inspector, Home Science Assistant, a Social Worker and Teaching Assistant. The Bureau also maintains a public health museum at the Red Cross Building, Lucknow, Health Education Units function at numerous places in the State.

9.4.15. *Family Planning.* The U.P. State Branch of the Indian Red Cross Society was doing some family planning work before the State Government took it over during the First Five Year Plan (1951-56). Though the Director is in overall charge of the family planning programme in the State, the head of the State organization is the State Family Planning Officer who is also Joint Director (Family Planning). He exercises all the administrative and financial powers normally exercised by a head of department and is assisted at the headquarters by a Deputy Director (Family Planning), Assistant Director (Family Planning) and a Medical Officer in-charge, IUCD Clinics.<sup>22</sup> A Mass Media Officer will also be added in due course. At the State level, there is a State Family Planning Bureau which attends to the needs of the programme from administrative and educational points of views. The State Health Education Officer, helps throughout in the programme. The Central and the State Governments have attached great importance to the family planning programme in order to check effectively the population explosion and the resultant economic and social imbalances which a little indifference may create. The annual birth rate in the country has accelerated in successive decennial periods, as would be evident from the statistics, and while it was 11.0 per 1,000 population in 1921-30, 13.5 in 1931-40, 14.0 in 1941-50 and 21.5 in 1951-60, the birth rates during 1961-65 was estimated to be around 41.0. At the same time death rate has been rapidly declining—27.4 per 1,000 population in 1941-50, 22.8 in 1951-60 and 17.2 in 1961-65. Uttar Pradesh is the most populous State of the Indian Union, accounting for 17 per cent. of the country's population. Its population which was 63.2 million in 1951 was estimated to be 89.4 million in 1969 and there has thus been an increase of almost 41.5 per cent. in its population. The growth of population, besides neutralising all developmental efforts, brings distress to the community, to family and to the individual. The population increase is also causing problems of feeding, housing, education, medical care, employment and even law and order. The immediate task of the family planning programme is to reduce the country's birth rate to 25 per 1,000 by 1975 and eventually to 18 per 1,000 by 1985. For the success of the programme, it was imperative to build up a basic organization, ensure adequate supervision and intensify educational efforts with a sense of urgency. Coordination of various departments was also required. In order to achieve the targets aimed at, the State Government have geared up the whole of the administrative machinery available with them and have associated the Civil Surgeons, the District Medical Officers of Health, the Range Assistant Directors of Medical and Health Services who normally supervise the health ser-

22. IUCD stands for Intra Uterine Contraceptive Device (the 'loop').



vices, as also the district revenue hierarchy and the officers, officials and non-officials engaged at present in the community development administration of a district for a fuller and active participation for achieving these objectives. An interwoven arrangement for supervision and reporting on the performance of each individual officer has, therefore, been made. Certain dis-incentives have also been introduced against persons who do not co-operate with the Government in the furtherance of the programme. The following concessions were withdrawn from such persons as do not limit the number of children in their families to three, if they have fewer than three, or to the existing number of children only, if they have more than three children:

- (a) Free medical treatment in Government hospitals.
- (b) Scholarships and freeships, inclusive of the scholarships and freeships given to the children of fighters of freedom, teachers, army personnel, scheduled castes and scheduled tribes irrespective of the fact whether the scholarships are given by Education Department, Social Welfare Department, Medical Department or any other Department. This does not include scholarships awarded on the basis of merit.
- (c) Loans and grants given to individuals for various purposes by Co-operative Department, Community Development Department, Planning Department, Revenue Department, Agriculture Department, Industries Department, Technical Education Department and other Departments of the Government.
- (d) Allotment of land belonging to *Gram Samaj* under Zamin-dari Abolition and Land Reforms Act.
- (e) Allotment of housing accommodation by Labour Department, Housing Department and Local Self-Government Department. This includes the housing schemes for middle and lower income groups and allotment of *Nazul* land.

The District Family Planning Officer-cum-Additional District Medical Officer of Health, who works directly under the District Magistrate, is in charge of family planning programme in each district, except the three border hill districts of Uttar Kashi, Chamoli and Pithoragarh. The District Health Education-cum-Information Officer<sup>23</sup> assists him throughout in propagating the usefulness of the scheme amongst the masses. The District Family Planning Bureau, each with a male and a female District Extension Educator, looks after the needs of the district concerning the scheme. The usual methods of controlling the size of families are sterilization of males and females, 'loop' insertions (IUCD) and use of conventional contraceptives. (Public opi-

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23. See footnote no. 13 in this sequence under Chapter 9.3 on Information Department.



mion is also now developing for increasing the marriage age.) Under each District Bureau, there is a provision for Mobile Surgical Unit under charge of a P.M.S. Officer for performing vasectomy operations, a Demographic Cell and a mobile IUCD clinic under the P.M.S. (W) Officer for purposes of loop insertions. Apart from these units, there are Sterilization-cum-IUCD Mobile Units. In urban areas, there are a number of urban family planning centres located in District Hospitals, dispensaries and Maternity and Child Welfare Centres. There are also a number of urban Family Planning Centres run by local bodies and voluntary institutions. For rural areas, Family Planning Centres have been located at each Primary Health Centre and its sub-centres. The Government of India meet 100 per cent of the non-recurring and recurring cost of the Programme. The State has seven Regional Family Planning Training Centres at Lucknow, Meerut, Agra, Jhansi, Varanasi, Allahabad and Balrampur (district Gonda). The training centre at Lucknow has been transferred to the Planning Research and Action Institute, U.P., Lucknow. The other centres are supervised by the Deputy Director (Training) under the Family Planning set up. The District Magistrate is responsible for successful implementation of the programme at district level and he reports on the performance of the District Family Planning Officer to the State Family Planning Officer through the Commissioner of Division after taking into consideration the views expressed by the Range Assistant Director of Medical and Health Services about his performance. The District Medical Officer of Health and the Civil Surgeon are responsible for the success of the programme in rural and urban areas respectively and work in close collaboration with the District Family Planning Officer. The State Family Planning Officer reports to the Director on their performance in connection with family planning. The work and conduct of medical officers incharge of Mobile Vasectomy and IUCD Teams and the Task Force doctors<sup>24</sup> is appraised by the District Family Planning Officer and reported to the State Family Planning Officer through the District Magistrate and the Commissioner. Before recording their views on the work and conduct of medical officers, the District Medical Officer of Health in the case of medical officers in-charge of Primary Health Centres and the Civil Surgeon in the case of those in-charge of urban centres, obtain the views of the District Family Planning Officer about their contribution in family planning programme. The performance of District Health Education-cum-Information Officer is appraised by the State Family Planning Officer with the help of reports of the District Family Planning Officer and the District Magistrate on the one hand and those of the Mass Media Officer (when appointed) and the State Health Education Officer on the other. The District Magistrate is expected to preside over monthly meetings of the sub-committee on Family Planning of the District Health and Hospitals Committee. The Sub-Divisional Officers are likewise fully involved in the programme and

24. These are lady doctors provided by the Government of India to the State Government for pushing up the family planning programme.

they are responsible for co-ordinating work in all development Blocks within their sub-divisions. The Tahsil Implementation Committee, which co-ordinates work at that level, with the Sub-Divisional Officer as President, Block Development Officers, Medical Officers in-charge of Primary Health Centres and other dispensaries and Block Extension Educators as Members and Tahsildar as Member-Secretary, organizes camps, allots targets and keeps an eye on the performance of various functionaries. The Block Development Officer is also responsible for success of the programme at the Block level. He is Secretary of the Block Implementation Committee comprising of the Block *Pramukhs*, *Up-Pramukhs*, Medical Officer in-charge of Primary Health Centre, Extension Educator, one of the Naib Tahsildars nominated by the Sub-Divisional Officer and two influential non-officials of the Block interested in the programme nominated by the District Magistrate. The Committee organises public opinion and arranges publicity of the programme. Whereas the Medical Officer in-charge of Primary Health Centre, is fully responsible for technical aspects of the programme and works in close collaboration with the Block Development Officer to make it a success and reports on the family planning staff at the Block level after taking into consideration the views expressed by the Block Development Officer, the latter also exercises administrative control on the field staff. The District Family Planning Officer sends his remarks to the District Planning Officer about the performance of a Block Development Officer with respect to the Family Planning Programme.

9.4.16. *School Health Service.* On the recommendation of the Educational Hygiene Committee in 1913, inspection of school sanitation was entrusted to the Public Health Department and systematic medical examination of students living in hostels to the Medical Department. In 1926, ten part-time medical officers were recruited by the Education Department and were posted at Allahabad, Lucknow, Kanpur, Agra, Varanasi, Meerut, Jhansi, Faizabad, Gorakhpur and Bareilly for school health work. This work was again reorganized in 1931. The work of medical inspection of scholars in the six large cities of Lucknow, Kanpur, Varanasi, Allahabad, Agra and Dehra Dun is now in charge of a School Health Officer possessing a diploma in Public Health, while in the eight towns of Meerut, Saharanpur, Jhansi, Gorakhpur, Faizabad, Bareilly, Moradabad and Shahjahanpur, the work is being done by School Health Officers possessing the qualification of licence in Public Health. For administrative purposes, the School Health Officers are Assistants to the Medical Officers of Health of the Municipalities concerned but the technical control over their school health work is exercised by the Health Education Bureau, U.P., Lucknow. The District Medical Officers of Health and the Medical Officers of Health of the Municipalities, except those in the fourteen towns mentioned already, act as *ex-officio* School Health Officers in their respective areas. The School Health Officers carry out detailed inspection of scholars of classes VI, VIII and X of Junior High Schools and Higher Secondary Schools and Intermediate Colleges. They also

attend the School Health Dispensary to provide medical treatment to sick students. Free spectacles are issued and treatment for eye diseases are arranged by Honorary Ophthalmologists and dental care is provided by Honorary Dentists twice a week.

9.4.17. *B.C.G. Vaccination.* B.C.G. Vaccination campaign for prevention of Tuberculosis started in the State in September, 1949 with the co-operation and assistance of the International Tuberculosis Campaign and the Government of India. To begin with, there were only three teams but the number gradually increased to 16 in 1958. Spread out in the various parts of the State, each team is headed by a Medical Officer who has under him about six technical Assistants. The teams are fully mobile and are well-equipped with public address equipment.

9.4.18. *Health Insurance.* The Employees' State Insurance Act was passed by the Central Legislature in 1948 to provide better facilities for the health and well-being of industrial workers. It is applicable to all factories run with power and employing 20 or more persons, and to all employees engaged in manual or non-manual work on a salary not exceeding Rs. 400 per mensem. The benefits cover the following five aspects of the problem: (a) medical benefit, (b) sickness benefit, (c) maternity benefit, (d) disablement benefit and (e) dependents benefit. Of these various benefits, the provision of medical benefit is the responsibility of the State Government while the other benefits are provided by the Employees' State Insurance Corporation; medical benefits being provided through dispensaries established exclusively for the use of the insured persons. The overall administration of the Employees' State Insurance Scheme has been entrusted to a Corporation comprised of thirty-nine members and representing employers, employees, the medical profession, the State and the Central Governments. The Chief Executive Officer is the Director General of Employees State Insurance Corporation at New Delhi with Regional Directors in the States. In Uttar Pradesh the Director of Medical and Health Services and Family Planning administers the medical benefits. He is assisted by a Joint Director with headquarters at Kanpur to look after the day-to-day administration of the scheme. The funds of the Corporation are built up by contributions payable by the employees and employers. The cost of providing medical benefits is initially met by the State Government and seven-eighths of this is later on re-imbursed by the Corporation. The scheme has been extended to various cities, towns and localities.<sup>25</sup>

9.4.19. *Provincial Hygiene Institute, Lucknow.* The Provincial Hygiene Institute is a training-cum-research centre of public health in the State. The Institute came into being in 1920 and since 1928 it has been housed in its own building situated within the campus of the Lucknow Medical College. It is under the administrative charge of

<sup>25</sup>. For details, see paragraph 11 of Chapter 8.9 on Labour Department, p. 407.

an Assistant Director who is assisted by four other officers and other technical and non-technical staff. The Assistant Director of the Institute is also the *ex-officio* Secretary of the State Medical Research Council, U.P. The Institute is divided into five functional sections, viz., (a) training, (b) public health laboratory services, (c) manufacture of cholera vaccine, (d) nutrition survey, and (e) research. Details of some of the activities are enumerated below:

- (a) The training includes post-graduate training in preventive medicine to officers of both the medical and public health wings of the Department, those of Chief Sanitary Inspectors, Sanitary Inspectors, Health Visitors, Laboratory Assistants and others.
- (b) Public Health Laboratory Service includes diagnostic, analytical, bacteriological and chemical examination of water, stools, disinfectants, industrial effluents, etc. The Institute also exercises technical control over drinking water supplies from all the Water Works in the State.
- (c) Vaccine Section—The total annual cholera vaccine production potential of the Institution is 40 lakh doses for use by the Health Directorate and local bodies.
- (d) The Nutrition Section conducts field surveys and investigations and also serves as an expert body on the Nutrition Advisory Committee of the State Government.

9.4.20. *State Vaccine Institute, Patwadangar.* The Institute, originally named 'Bovine Lymph Depot' was set up in 1904. The Depot was initially under the direct charge of the Sanitary Commissioner and the Director of Public Health, but from 1933 it was placed in charge of an officer of the U.P. Public Health Service. It was renamed State Vaccine Institute in 1954. A Section for manufacturing anti-rabic vaccine was added to it in 1957. The Deputy Director in-charge of the Institute is assisted by medical officers in the vaccine, lymph and anti-rabic sections; and by an Electrical and Mechanical Assistant Engineer. The Institute meets the demands of Uttar Pradesh, as also of other States, Cantonments and the Railways. It has been selected by the World Health Organization as one of the Institutes in India for the establishment of Freeze Dried Small-pox Vaccine Manufactory.

9.4.21. *Industrial Health Organization.* This organization was set up at Kanpur in January, 1951, for investigating and making recommendations for corrective measures in respect of problems of industrial health, diseases and accidents and is under the charge of a Medical Officer. The main functions of the Organization are:

- (1) to investigate the environment and other conditions in factories of the State affecting the health of workers.
- (2) to investigate into the general health of industrial workers and the incidence of industrial diseases and accidents,

- (3) to suggest improvements in working conditions, and
- (4) to improve the general health of workers and look to the prevention of industrial diseases.

9.4.22. *Food and Drugs Control.* The activities under food and drugs control can be grouped, as follows:

*A. Administration of the Drugs Act, 1940 and Drugs Rules, 1945*

The operation of the Drugs Act, 1940 started in U.P. in the year 1947. Under this Act, the Additional Director of Medical and Health Services, U.P. is the Drug Controller but day-to-day administration is conducted by an Assistant Drug Controller of the rank of Assistant Director. The latter is assisted by a Chief Drug Inspector and several Drug Inspectors who inspect both manufacturing as well as sale premises of drugs throughout the State. Under the Drugs Act, the Municipal and District Medical Officers of Health are the licensing officers for all sale premises within their respective jurisdiction while the Drugs Controller is the licensing authority for manufacturing premises. Analysis of drugs is done by the Government Analyst, U.P. Preparations requiring biological assay, viz., injections, vitamin preparations, vaccines, serum, etc., are analysed at the Central Drug Research Institute, Lucknow and the Central Research Institute, Kasauli (Simla Hills). The Director of the Central Drugs Laboratory, Calcutta, which is the final authority in matters of disputes regarding standard of drugs, is the Government Analyst appointed by the State Government for analysis of all types of Drugs except those mentioned in rule 3-A of the Drugs Rules, 1945.

*B. Administration of Prevention of Food Adulteration Act, 1954 and Rules, 1955.*

The U.P. Prevention of Adulteration Act was first enacted in 1912 and its implementation started in 1914, but the Act was later replaced by the U.P. Pure Food Act, 1950, enforced from 1953. Subsequently, the Prevention of Food Adulteration Act, 1954, a Central Act, was enforced in the State from June, 1955 and it replaced the U.P. Pure Food Act, 1950. Medical Officers of Health of the State Health Service and other public health personnel not below the rank of a Sanitary Inspector are Food Inspectors under the Act and are empowered to purchase and collect samples of food and to get them analysed in the laboratory of the Public Analyst to Government of U.P. free of charge. Private customers can also get their samples analysed on payment of certain prescribed fees. Prosecutions are launched by the Food Inspectors on the basis of reports received from the Public Analyst.

*C. Public Analyst's Branch*

The laboratory of the Public Analyst to Government, U.P., Lucknow was set up in 1914. The statutory provisions in respect of food adulteration were extended in the beginning to five municipalities.



*viz.*, Varanasi, Allahabad, Lucknow, Kanpur and Agra with the restriction that only four samples of ghee per month could be sent by each municipality. The provisions were gradually extended to other municipalities and several rural areas, and the limitation regarding the number of samples which could be sent each month by a municipality was withdrawn. The Public Analyst to Government, Lucknow is assisted by Assistant Public Analyst (Food), Assistant Public Analyst (Drugs) and a number of Senior and Junior Analytical Assistants.

9.4.23. *Urban Water Supply.* The administrative control on the water supply for the whole State vests in the Chief Engineer, Local Self-Government Engineering Department, while technical control is with the Assistant Director, Provincial Hygiene Institute, where water samples from different Water Works are required to be examined bacteriologically every week and chemically every quarter.

9.4.24. *Leprosy.* A whole-time State Leprosy Officer looks after the facilities for control of leprosy in the State. Separate government hospitals exist at Bahraich, Dehra Dun, Meerut and Varanasi along with other private aided institutions at various places. Leprosy Survey, Education and Treatment Centres exist under the National Leprosy Control Programme in the districts of Pithoragarh, Chamoli, Almora, Pauri-Garhwal, Tehri Garhwal, Sitapur, Ghazipur, Allahabad, Hamirpur, Fatehpur and Varanasi. Subsidiary Leprosy Control Centres are run at Azamgarh, Bara Banki, Bahraich, Basti, Gorakhpur, Kheri, Moradabad and Varanasi. There is a Study and Treatment Centre at Dehra Dun, a Para-Medical Training Centre at Hathunda (district Bara Banki) and State Leprosy Clinics at Kanpur, Varanasi and Deoria.

9.4.25. *Small Pox Eradication Programme.* The National Small-pox Eradication Programme was launched in this State on October 2, 1962. It is under the charge of a Deputy Director at Lucknow. Primary and re-vaccinations have been made compulsory under the Regulation of Epidemic Diseases Act, 1894.

9.4.26. *Special Schemes of Medical Relief.* Eye relief is offered by six zonal institutions, *viz.*, Gandhi Eye Hospital, Aligarh; Eye Hospital, Sitapur; Eye Hospital of Medical College, Agra; Eye Department of Medical College, Lucknow; King Edward VII Hospital, Varanasi; Kanpur Eye Hospital and Rama Eye Hospital, Dehra Dun. Besides, a Government institution, known as Manohar Das Eye Hospital, Allahabad, is also providing eye relief work. The mental hospitals at Agra, Bareilly and Varanasi, the last one for criminal lunatics, provide treatment for mental diseases. Facilities for treatment of Cancer exist at the Medical College, Agra; the Cancer Institute, Kanpur and the Kamla Nehru Hospital, Allahabad. Three special programmes of the Fourth Plan relate to the provision of modern facilities and treatment for cancer at the J.K. Institute of Radiology, Kanpur, for mental health at Kanpur and Allahabad and for Cardiac cases at the Kanpur Medical College.



9.4.27. *Enteric Laboratory.* The need for establishment of an Enteric Reference Laboratory in the State was felt for proper investigation and scientific study of organism which cause the enteric group of fevers. Such a laboratory was established at Lucknow in 1952, and is housed in the Department of Pathology and Bacteriology of the Lucknow Medical College.

9.4.28. *Blood Banks and Blood Transfusion Service.* The service is available in most of the big hospitals in the State.

9.4.29. *Central Medical Stores Depot.* This Depot is under the charge of a Deputy Director, Stores, and supplies medicines, drugs and medical stores in emergencies and also holds stock of life-saving drugs to meet emergencies of all nature in the State.

### ZONAL ORGANIZATION

9.4.30. The State has been divided for public health purposes into four Ranges with headquarters at Meerut, Allahabad, Agra and Gorakhpur, each under the charge of an Assistant Director of Medical and Health Services. The jurisdiction of these offices is as below:

<i>Range</i>	<i>Headquarters</i>	<i>Names of districts included in the jurisdiction</i>
I	Meerut	Dehra Dun, Saharanpur, Muzaffarnagar, Meerut, Bulandshahar, Bareilly, Bijnor, Budaun, Moradabad, Shahjahanpur, Pilibhit, Garhwal, Rampur, Tehri-Garhwal, Chamoli and Uttar Kashi.
II	Allahabad	Farrukhabad, Etawah, Kanpur, Fatehpur, Unnao, Allahabad, Lucknow, Hardoi, Sitapur, Rae Bareilly, Kheri, Pratapgarh, Faizabad and Sultanpur.
III	Agra	Aligarh, Agra, Mathura, Mainpuri, Etah, Jhansi, Hamirpur, Jalaun, Banda, Naini Tal, Almorah and Pithoragarh.
IV	Gorakhpur	Gorakhpur, Basti, Gonda, Varanasi, Ghazipur, Azamgarh, Ballia, Deoria, Bara Banki, Mirzapur, Jaunpur and Bahraich.

The duties and functions of the Assistant Directors in Ranges are as follows:

- (i) General administration of the public health services in the Range.
- (ii) Supervision of—
  - (a) routine public health activities in the rural and urban areas such as Environmental Sanitation, Maternal and Child Health, Family Planning, Health Education, Registration of Vital Statistics, Small Pox Vaccination and School Health,
  - (b) anti-epidemic measures,
  - (c) activities of Primary Health Centres, and
  - (d) special health schemes such as Malaria Eradication Programme, Filariasis Control, B.C.G. Vaccination, Anti-

Leprosy Campaign, Milk distribution and supplementary feeding programmes to vulnerable groups, etc.

- (iii) Medical and sanitary arrangements in important fairs held in the Range.
- (iv) Providing technical advice to the Divisional Planning Committees on Medical and Public Health matters, and
- (v) Providing advice to local bodies on the details of their public health problems.

### DISTRICT ORGANIZATION

9.4.31. There has been no integration of medical and public health services at the district level so far. The public health activities in municipal and rural areas are under the control of Municipal Medical Officer of Health and District Medical Officer of Health respectively and that of medical relief under the control of Civil Surgeons.

(i) *District Medical Relief Organization.* A Civil Surgeon, one for each district, is incharge of the administration of Government hospitals and dispensaries within the district. These dispensaries are run by officers of the P.M.S. The Civil Surgeon is also incharge of the District Jail as its Superintendent in most of the places where whole-time Superintendents have not been provided by the Jails Department and also attends to medico-legal work of the district. He is also medical attendant of government servants and their families in which assignment his responsibilities in respect of most of the subordinate categories of government servants and their families are shared by the junior officers of the P.M.S. He is also responsible for the success of the Family Planning Programme which is carried out by the medical officers incharge of urban centres under him with the collaboration of the District Family Planning Officer. A few big hospitals in the State have been placed under the charge of Superintendents for effective supervision under the overall control of the Civil Surgeon of the district. Hospitals in big cities and towns have the services of honorary medical officers too. The usual pattern of a 100 bedded hospital is four Medical Officers, two Compounders, a Matron, five Sisters, ten Staff Nurses, ten Wardboys, ten Sweepers, ten Bearers or Women Attendants or Dressers, four Cooks, four general servants, four Dhobis, two Bhitis, two Malis and three Chaukidars.

(ii) *Municipal Health Organization.* Municipal towns with income over rupees one lakh have usually a Medical Officer of Health. Municipal Corporations of KAVAL towns, viz., Kanpur, Agra, Varanasi, Allahabad and Lucknow have also an Additional Medical Officer of Health. Other municipalities are usually not required to have a Medical Officer of Health—the District Medical Officer of Health acts there as public health adviser of such Municipal Boards, as also for Notified and Town areas. Medical Officers of Health employed in Municipal Boards are deputed and paid by Government. Sanitary

Inspectors and vaccinating staff are on the rolls of local Boards. There is roughly one sanitary inspector for every 20,000 persons and one Chief Sanitary Inspector for and above 1,00,000 persons. Notified and Town areas are not required to employ sanitary inspectors.

(iii) *District Public Health Organization.* There is one District Medical Officer of Health for rural areas in each district. He is assisted by an Assistant Medical Officer of Health, as and where available, and by a Medical Officer, Anti Epidemic Operations, with special epidemic staff, whenever needed. The other staff posted in a district for health services normally consists of two Health Supervisors, a District Health Visitor, a Senior Laboratory Technician and Basic Health Workers—one for 30,000 population, including Vaccinators—one roughly for sixty to eighty thousand persons. There is also an Anti-Malaria Officer, with necessary staff, wherever malaria eradication programme is in operation. The District Medical Officer of Health has local control on the Ayurvedic and Unani Medical Officers posted in the district. For Family Planning Work, there is the District Family Planning Officer—*cum*—Additional District Medical Officer of Health, who is directly responsible to the District Magistrate for day-to-day administration of the Family Planning Scheme and is assisted by a District Health Education—*cum*—Information Officer and a male and a female District Extension Educator at the District Family Planning Bureau.

(iv) *Medical and Health Organization at the periphery.* In the pre-independence period, the needs in respect of medical relief and public health in semi-urban and rural areas were being provided through rural dispensaries run either by the State Government, District Boards or private agencies. After the introduction of community development schemes under the five-year Plans, the scheme of Primary Health Centres emerged with the aim of providing under one roof a focal point for community health activities of a homogeneous local area of manageable size. These health centres function as the nucleus for providing an integrated curative and preventive service. A Primary Health Centre on an average serves a hundred villages and a total population of about 66,000. Each centre has a Medical Officer in overall charge of the programme under the administrative control of the District Medical Officer of Health. In addition to the usual dispensary staff, such as a compounder and two hospital attendants, there is a team of public health workers, which also serves the Maternity and Child Health Wing, consisting of a Health Visitor and a Sanitary Inspector for each Community Development Block. There are usually four sub-centres in a Block and each such sub-centre has an Auxilliary Nurse Midwife and a *Dai* for maternity and child health. The Family Planning programme linked with the Primary Health Centre has an Extension Educator, for the Centre and four Family Planning Health Assistants and four Family Planning Workers for each Block. There is also a Family Welfare Worker or Auxilliary Nurse Midwife and a part-time female worker for each of the four sub-centres of a Block mentioned above for Family Planning work. For anti-malaria work, there is a Health Inspector with a Laboratory Technician at the Block level

with a team of eight Basic Health Workers for each Block (including vaccinators of Zila Parishad) for sub-centres.

9.4.32. Shortage of medical officers, specially in rural areas, has been specially felt throughout. Various steps have been taken for removing it, including posting of new entrants to rural areas and recruitment of integrated Ayurvedic course graduates. Increased capacity of the new medical colleges will also help in easing the problem. Ninety per cent. of the amount collected in a district as registration fee from patients at the rate of ten paise each patient, is now spent on the provision of medical facilities in that district. Similarly, the clear income out of State Lotteries<sup>26</sup> will also be spent now on providing medical facilities in hospitals of the State.

9.4.33. *Homoeopathic System of Medicine.* State interest in this system of medicine is of recent origin and started with the enactment of the U.P. Homoeopathic Medicine Act, 1951. By October, 1969, there were nineteen Government homoeopathic dispensaries. These are under the administrative control of the Director of Medical and Health Services and Family Planning. There are also subsidized homoeopathic dispensaries under the Directorate of Medical and Health Services, located in rural areas. These dispensaries are subsidized by the State to the extent of two-thirds of expenditure, the remaining one-third being borne by the local bodies. There are two courses of study in the homoeopathic system,—one is a five years degree course leading to Graduate in Homoeopathic Medicine and Surgery (GHMS), fresh admission to which have now been stopped, and the other, a four years diploma, called Bachelor in Medicine and Surgery (BMS). The degree is being awarded by the National Homoeopathic Medical College, Lucknow, which is affiliated to the Kanpur University. For diploma course, the College is affiliated to the Board of Homoeopathic Medicine. Diplomas are also awarded by six other homoeopathic colleges<sup>27</sup> which too are affiliated to that Board. Government have also accepted in principle introduction of a six years integrated degree course in homoeopathic system. This scheme envisages a diploma course of four years followed by two years for degree course.

#### DIRECTORATE OF AYURVEDIC AND UNANI SERVICES, U.P., LUCKNOW

9.4.34. The Director, who is the administrative head of the Ayurvedic and Unani Services, is assisted at the headquarters by two

26. See footnote no. 22 on page 90 in Chapter 4.2 on Finance Department at the Secretariat.

27. (i) Tilak Dhari Homoeopathic Medical College and Hospital, Jaunpur,  
(ii) Ghazipur Homoeopathic Medical College and Hospital, Ghazipur.  
(iii) Allahabad Homoeopathic Medical College and Hospital, Allahabad.  
(iv) Kanpur Homoeopathic Medical College and Hospital, Kanpur.  
(v) K.G.K. Homoeopathic Medical College and Hospital, Moradabad.  
(vi) Mohan Homoeopathic Medical College and Hospital, Lucknow.

Assistant Directors and a Personal Assistant. At the regional level there are fifteen Divisional Ayurvedic and Unani Officers,—twelve on the Ayurvedic side each posted at the headquarters of a revenue Division, viz., Agra, Allahabad, Faizabad, Pauri (Garhwal), Gorakhpur, Jhansi, Nainital, Lucknow, Meerut, Bareilly and Varanasi with one additional officer for Uttarakhnad, and three on the Unani side each posted at Aligarh, Azamgarh and Lucknow. The duties of these Divisional Officers are to inspect Ayurvedic and Unani dispensaries in their divisions. By November, 1969, the State had 735 Government managed Ayurvedic and Unani dispensaries under charge of Ayurvedic and Unani Medical Officers. These Medical Officers belong either to the State Ayurvedic and Unani Service, the Subordinate Gazetted Medical Service (Ayurvedic and Unani) or the Subordinate Non-Gazetted Medical Service (Ayurvedic and Unani). Local control on the Ayurvedic and Unani dispensaries vests in the District Medical Officer of Health who has generally one clerk attached to his office for looking after the affairs of these dispensaries within a district.

9.4.35. The State Ayurvedic College, Lucknow, affiliated to the Lucknow University and six Ayurvedic<sup>28</sup> and two Unani<sup>29</sup> Colleges affiliated to the Board of Indian Medicine, U.P. prepare students for the integrated five years degree course in Ayurveda and Unani Tib. The Ayurvedic College, Varanasi, affiliated to the Sanskrit University at Varanasi prepares students for Shudha (pure) Ayurvedic Course. There is also a Unani Tibbia College in the Muslim University, Aligarh. Some Colleges prepare students for two years Compounders Course in Ayurveda and Unani Tib. A State Ayurvedic Hospital with 220 beds is attached to the State Ayurvedic College at Lucknow. Another 25 bed Ayurvedic hospital is going to be established at Aoydhya, district Faizabad. Ayurvedic Nursing Course of 3 years and 9 months duration exists at the State Ayurvedic College and Hospital, Lucknow. The State Pharmacy, Lucknow, set up in 1949 supplies standard Ayurvedic and Unani medicines of genuine quality to State dispensaries of the department as also those of the Labour Department and to Panchayats. A Standing Expert Committee advises the State Pharmacy on technical matters. An Ayurvedic and Tibbi Academy under the chairmanship of the Director, Ayurvedic and Unani Services, with a part-time Secretary, who is usually a Reader in the State Ayurvedic College, Lucknow, functions at the College with an Editor and a Research Assistant. The Academy collects and publishes Ayurvedic and Unani manuscripts and text-books and awards

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28. (i) Rishikul Ayurvedic College, Hardwar.  
 (ii) Gurukul Ayurvedic College, Kangri, Hardwar.  
 (iii) Lalit Hari Ayurvedic College, Pilibhit.  
 (iv) Bundelkhand Ayurvedic College, Jhansi.  
 (v) Ayurvedic College, Attara, Banda.  
 (vi) Sahu Ram Narain Murli Manohar Ayurvedic Degree College, Bareilly.
  29. (i) Unani Medical College, Allahabad.  
 (ii) Takmil-Ut-Tib College, Lucknow.



the authors suitably. The Academy has a good collection of books and has its own library in the College.

9.4.36. Some of the important departmental Boards, Councils and Committees are:

1. *U.P. Medical Council.* The Council was constituted under the U.P. Medical Act of 1917. It consists of a President nominated by the State Government—the Director of Medical and Health Services and Family Planning, U.P., is the nominated President—and other members nominated by Government and elected by medical graduates and licentiates in U.P. The functions of the Council are to regulate and give advice to Government in the matters of medical registration, medical ethics and professional discipline.

2. *State Medical Faculty.* The Faculty, constituted by the Government in the year 1926, consists of elected and nominated members, one of whom is elected by the U.P. Nurses Council. The President, who usually is the Director of Medical and Health Services and Family Planning, U.P., is appointed by the State Government from amongst the members. The Faculty is the examining body for awarding diplomas and certificates to auxiliary health personnel, viz., Nurses, Health Visitors, Midwives, Nurse-Midwives, Sanitary Inspectors, Chief Sanitary Inspectors, Laboratory Technicians, X-ray Technicians, Refractionists and Opticians. It also awards Fellowship Diploma to registered doctors who have achieved some professional distinction and have at least 15 years' standing.

3. *U.P. Dental Council.* It was constituted under the Dentist's Act, 1948. It consists of thirteen members of whom nine are elected, three are nominated by the State Government and one of the members is the Head of the Dental College and Hospital, Lucknow. The functions of the Council are to register Dentists, Dental Hygienists and Dental Mechanics and to regulate the practice of dentistry in the State according to the provisions of the Act.

4. *U.P. Pharmacy Council.* It was constituted under the Pharmacy Act, 1948, for registration of pharmacists. It is composed of seven elected members, five nominated members and the Government Analyst, U.P. The Act came into force in the State in 1951 and the first Register of Pharmacists was completed in 1954.

5. *U.P. Nurses and Midwives Council.* The Council was constituted for purposes of registration under the U.P. Nurses, Midwives, Assistant Midwives and Health Visitors Registration Act, 1934. The Director of Medical and Health Services, and Family Planning U.P., is the President of the Council.

6. *U.P. State Medical Research Council.* The major step forward in the development of medical research was the creation of Indian Research Fund Association in 1911 (now called Indian Council of Medical Research) to initiate, develop and co-ordinate medical and scientific researches in India, to promote special enquiries and to assist institutions in the study of diseases, their prevention, causation



and remedy. The State Government also constituted a State Medical Research Council in 1957 for the furtherance of medical research in the State. The Council consists of the Director of Medical and Health Services and Family Planning, U.P. as Chairman, Principals of Medical Colleges in U.P., Director, Central Drug Research Institute, Lucknow and other distinguished medical practitioners as Members and Assistant Director, Provincial Hygiene Institute, Lucknow as Member-Secretary. The functions of the Council are:—

- (a) to invite from the medical colleges of the State and the State Hygiene Institute schemes for research and investigation which cannot be undertaken as a part of the normal activities of these institutions, and
- (b) to invite from the Maternity and Child Health Section and other sections of the Public Health Organization and other research workers proposals for enquiry into problems and investigation of diseases which have a specific distribution, investigation of which will contribute in the advancement of knowledge or technique.

Grants are placed at the disposal of the Council by the State Government for furtherance of research schemes sponsored by the Council.

7. *State Health Board.* The Board, originally known as the Board of Public Health, was formed in 1889. Its name was changed to State Health Board in 1949. Its membership consists of five M.L.As. and two M.L.Cs. and five other members nominated by Government with Director of Medical and Health Services and Family Planning, U.P. and Chief Engineer, Local Self-Government Engineering Department, U.P. as *ex-officio* members and Minister of Health as Chairman. Meetings of the State Health Board are held quarterly. The main functions of the Board are to formulate health policies for State, to recommend grants for health schemes and sanitary works, to advise on matters of public health referred to it by the State Government, to deal with projects for sanitary works (undertaken by local bodies) and to sanction grants out of the funds placed at its disposal by the Government.

8. *State Family Planning Board.* The Board under the Chairmanship of the Minister for Medical and Public Health reviews from time to time the functioning of family planning programme in the State and gives suggestions in that connection.

9. *U.P. Board of Indian Medicine.* The Board started functioning in 1947 to regulate the practice of Ayurvedic and Unani Systems of medicine under the Indian Medicine Act, 1939. It is composed of twenty two members including the President, who is nominated by the State Government. The Board regulates the training and teaching of Ayurvedic and Unani medicines in the colleges affiliated to it.

10. *U.P. Board of Homoeopathic Medicine.* The Board came into existence with effect from August, 1952, to regulate the practice

of homoeopathic medicine under the U.P. Homoeopathic Medicine Act, 1951. It consists of fifteen members, out of which eight are elected and seven are nominated by the State Government. The Chairman is nominated from amongst the members. The main functions of the Board are (1) to register qualified homoeopathic medical practitioners, (2) to regulate by licence or permit the preparation and dispensing of homoeopathic medicines, (3) to extend homoeopathic medical aid in rural areas and smaller towns, (4) to organize training of homoeopathic education and conduct examinations and (5) to recognize or affiliate educational institutions.

11. *Red Cross and St. John's Ambulance Association.* The U.P. Branch of the Indian Red Cross Society was formed in 1921. The Governor of Uttar Pradesh is its President. The Assistant Director, Health Education Bureau, acts as Honorary Secretary of the U.P. Branch of the Indian Red Cross Society and Honorary General Secretary of the State Centre of the St. John's Ambulance Association, and looks after the objects for which these organizations stand and co-ordinates their activities with those of the Department. The Society has an Executive Committee and four sub-committees, viz., Health Education, Family Planning, Maternity and Child Welfare and Junior Red Cross sub-committees to direct and guide the various functions of the Red Cross from the headquarters. Every district has a District Red Cross Branch for field work. The U.P. State Centre of St. John's Ambulance Association was formed in 1909. Its main function is to organize training courses of the Association through district, sub-district and police centres. Interest in training programme is kept up through annual State competitions. The Director of Medical and Health Services and Family Planning, U.P., is the Assistant Commissioner of the St. John's Ambulance Brigade of this State.

12. *State Health Advisory Committee and District Health and Hospitals Committees.* The State Government set up in August, 1967, the State and the District Health Advisory Committees—the latter came to be known from April, 1969 as District Health and Hospitals Committees, in order that there could be proper co-ordination in between the Public Health and Medical Departments of the Government and the public. The State Health Advisory Committee normally meets twice during a year under the Chairmanship of the State Health Minister and consists of Commissioner, Agricultural Production and Rural Development; Chief Engineer, Local Self-Government Engineering Department; Director, Ayurvedic and Unani Services; a retired medical officer of the Army, one representative of Legislative Council each from the teachers' constituency and from the local bodies electoral constituency; three social workers, two representatives of the State Medical Colleges, one representative from the Universities, one representative of the Employers' Association of northern India, one representative of labour organizations; Chairman, Indian Medical Association, U.P.; Chairman, Board of Indian Medicine, U.P., a Mayor or an Administrator of Municipal Corpora-

tion, President of a Zila Parishad; President, State Ayurvedic Council and Director, Medical and Health Services and Family Planning, U.P. as members. Similarly, the District Health and Hospitals Committees normally meet once in every month under the chairmanship of the District Magistrate with Chairman, Zila Parishad; Chairman, Municipal Board or the Mayor or Administrator of Municipal Corporation; a representative of the local branch of Indian Medical Association, three members of the Legislative Assembly from the district, three local social workers, President of the local Ayurvedic Council; Additional District Magistrate (Planning) or District Planning Officer, District Health Officer, District Family Planning Officer, Health Officers of Municipal Boards and Corporations and the Civil Surgeon of the district as Members. All Sub-Divisional Officers in the district are co-opted members of this Committee. The State Health Advisory Committee sees that all the District Committees function properly and assists the Government in formulating policies in respect of basic problems regarding public health. District Committees inspect, from time to time, the State hospitals and dispensaries, look into complaints and seek the co-operation of the public in raising funds from expansion and development of medical facilities. These committees are in replacement of the earlier State Health Council and the Advisory Committees for provincialised hospitals and the District Action Committees on Family Planning functioning hitherto at district level.

Acts, Rules and Manuals relating to Medical and Public  
Health Departments.

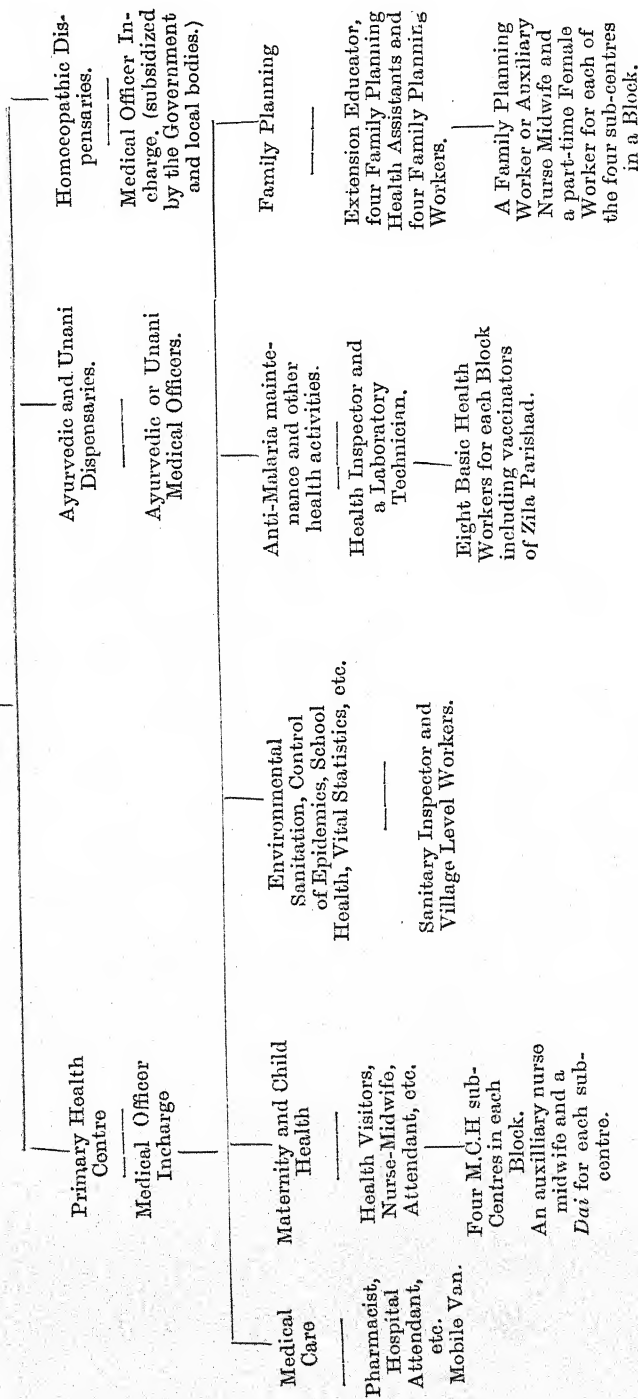
<i>Sl. No.</i>	<i>Name of Act, Rule and Manual</i>	<i>Year</i>	<i>Authority under which framed or acted.</i>
1	2	3	4
<i>Acts</i>			
1.	Regulation of Epidemic Diseases Act	1894	Govt. of India
2.	Indian Lunacy Act	1912	"
3.	Indian Medical Degrees Act	1916	"
4.	U. P. Medical Act	1917	State Govt.
5.	U. P. Nurses, Midwives, Assistant Midwives and Health Visitors Registration Act	1934	"
6.	U. P. Indian Medicine Act	1939	"
7.	Shri Badri Nath and Shri Kedar Nath Temples Act	1939	"
8.	Drugs and Cosmetics Act	1940	Govt. of India
9.	Shri Badri Nath and Shri Kedar Nath Temples (Sanitation and Improvement) Act	1945	State Govt.
10.	U. P. Provincialization of Hospitals Act	1947	"
11.	U. P. Objectionable Advertisements Control Act	1948	"
12.	Dentists Act	1948	Govt. of India
13.	Pharmacy Act	1948	State Govt.
14.	U. P. Homoeopathic Medicine Act	1951	"
15.	Prevention of Food Adulteration Act	1954	Govt. of India
16.	Drugs and Magic Remedies (Objectionable Advertisements) Act	1954	"

1	2	3	4
17.	U. P. Anatomy Act	1957	State Govt.
	<b>Rules and Manuals.</b>		
1.	Secretary of State's Services Medical Attendance Rules	1933	Govt. of India
2.	All India Services Medical Attendance Rules	1944	„
3.	Central Services Medical Attendance Rules	1944	„
4.	U. P. Government Servants' Medical Attendance Rules	1946	State Govt.
5.	Drugs Rules	1945	„
6.	Prevention of Food Adulteration Rules	1955	„
7.	Public Health Manual	1938	„
8.	Medical Manual	1956	„
9.	Shri Badri Nath and Shri Kedar Nath Temples Rules.	—	„

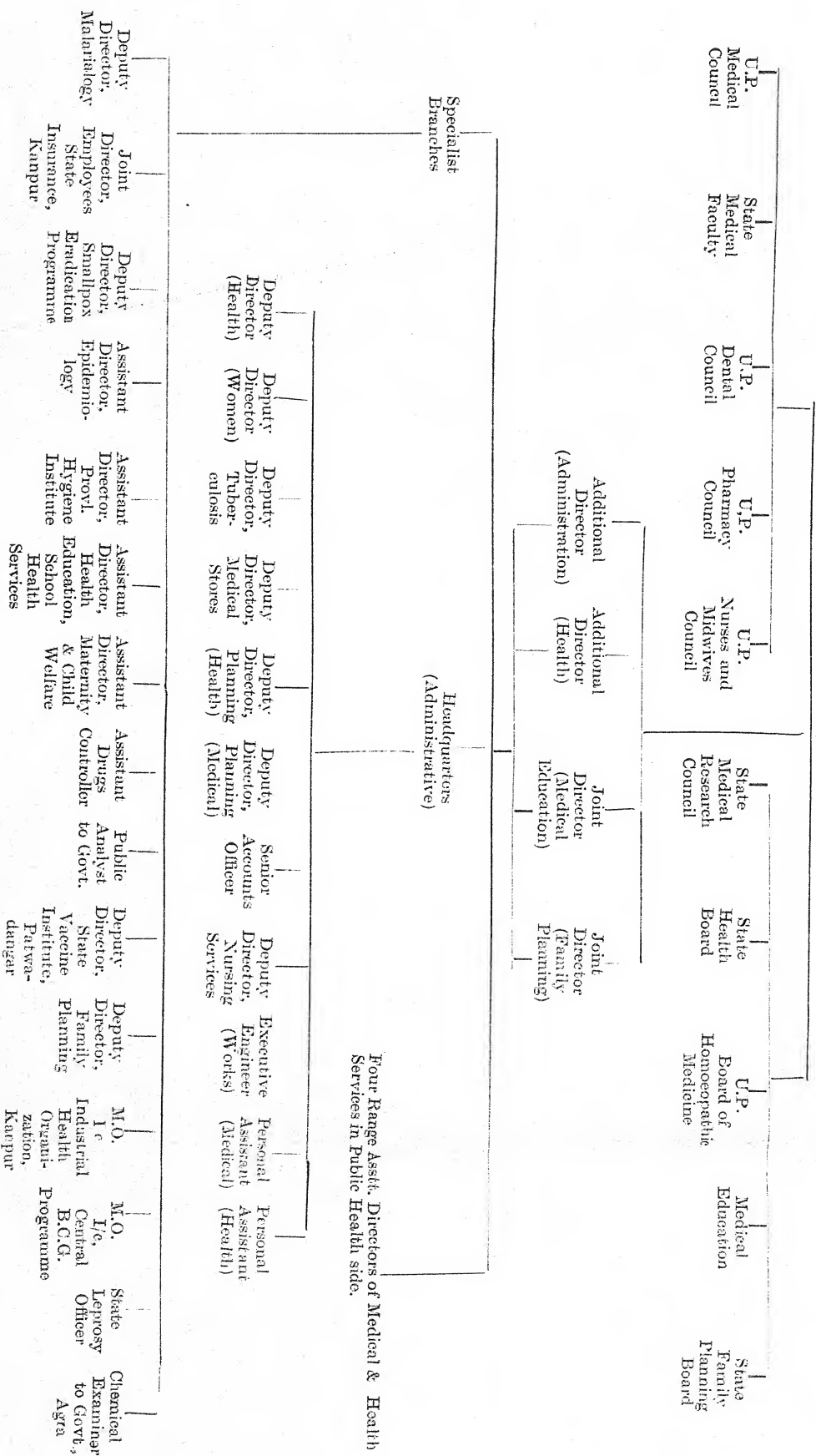
## Annual Administration Reports

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1.	Annual Report on Civil Hospitals & Dispensaries in U. P.	January-December	1865	Director of Medical and Health Services and Family Planning, Uttar Pradesh
2.	Annual Report on Mental Hospitals in Uttar Pradesh	January-December	1924	„
3.	Annual Report on Public Health Department in U. P.	January-December	1868	„
4.	Annual Report on the Ayurvedic and Unani Systems of Medicine.	April-March	1954	Director of Ayurvedic & Unani Services, Uttar Pradesh.

### Medical and Health Organization at the periphery

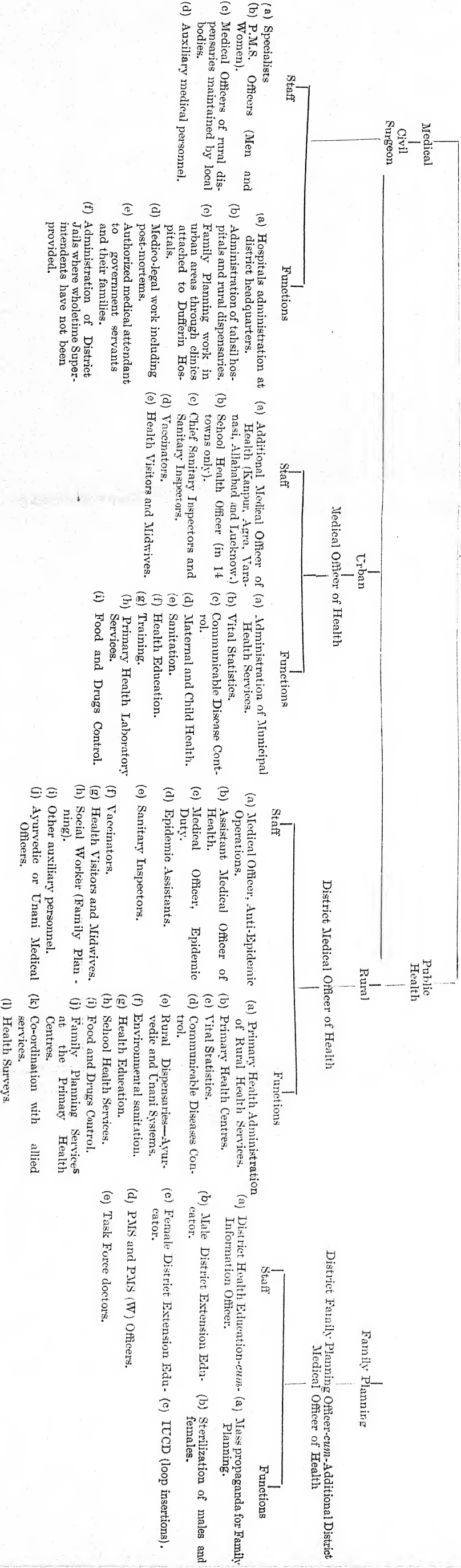


Director of Medical & Health Services and Family Planning





# Medical and Public Health Organization at District Level



## 9.5. DEPARTMENT OF CULTURAL AFFAIRS AND SCIENTIFIC RESEARCH

9.5.1. In 1957 it was felt that subjects relating to cultural activities, fine arts and scientific research were being handled by more than one department of the Secretariat and also by different heads of departments with the result that there was neither co-ordination nor an integrated policy in respect of them. There was another disadvantage in the sense that these subjects, when tagged on to departments with their own main subjects to deal with, received a somewhat indifferent treatment particularly in regard to planning, allotment of funds and expeditious disposal of references. It was, therefore, decided to set up a separate department known as Indology, Culture and Scientific Research Department and entrust to it the following subjects:—

1. Archaeology.
2. Museums.
3. Archives.
4. Government College of Arts & Crafts.
5. The U.P. State Observatory, Naini Tal.
6. The Directorate of Geology & Mining, U.P.
7. Scientific Research Committee.
8. Aided institutions such as—
  - (i) the Raza Library of Manuscripts, Rampur,
  - (ii) The All-India Kashi Raj Trust,
  - (iii) Bhatkhande College of Hindustani Music, Lucknow,
  - (iv) Ganga Nath Jha Research Institute, Allahabad,
  - (v) National Academy of Sciences, Allahabad,
  - (vi) U.P. Historical Society, Allahabad,
  - (vii) Numismatic Society of India,
  - (viii) Ethnographic and Folk Culture Society, Lucknow,
  - (ix) Nagri Pracharini Sabha, Chaukhambha, Varanasi, and
  - (x) Vigyan Parishad.
9. Minor subjects such as Treasure Trove, classification of works on art, war memorials, statues of foreigners, etc.

These matters were earlier being handled mostly by the Education Department and partly also by the Industries and the General Administration Departments. For, the Government College of Arts & Crafts was with the Industries Department, Treasure Trove and Archaeology was with the General Administration Department. A Directorate was set up at the headquarters of the Government and the Director of the Department was also appointed Joint Secretary to Government in the Chief Secretary's Branch. In the year 1959 the designation of the Department was changed to Cultural Affairs &

Scientific Research. The same year *Vigyan Mandirs* were transferred to this Department but were subsequently retransferred in 1963 to the Planning Department.<sup>30</sup> In 1961 the Directorate of Geology and Mining was retransferred to the Industries Department. From March 6, 1961, the subjects relating to grants to music institutions were transferred to the Information Department, but they were retransferred to Cultural Affairs and Scientific Research Department from February 27, 1967. The U.P. Sangeet Natya Bharti, now known as Sangeet Natak Academy, established in 1963 in the Information Department, was also transferred to this Department on February 27, 1967. The Bhatkhande College of Hindustani Music, which was functioning as an autonomous body, had already been taken over by Government on March 26, 1966 and placed under the charge of this Department.

9.5.2. The headquarters organization consists of the following:

Secretary	1
(who is also Secretary in other Departments).	
Joint Secretary and Director, Cultural Affairs, U.P.	1
Deputy or Under Secretary or Officer on Special Duty-cum-Deputy Director, Cultural Affairs, U.P.	1
Superintendent	1

The Secretariat Department which forms part of the Chief Secretary's Branch also serves for the Directorate of Cultural Affairs. The Department exercises supervision and control over various units which have been mentioned already. The functioning of each of these is taken up below.

#### *State Museum, Lucknow*

9.5.3. This Museum was established initially at Allahabad in 1863 as a repository for the exhibition of specimens or models connected with economic geology, agricultural mechanics, etc. It was initially housed in the premises of the building occupied by the Curator of Government Books. In 1868, a Museum at Lucknow was also set up for collection of specimens of art and manufactures of Avadh and of India generally and all articles connected with the habits, customs and mythology of India. It was at first under the management of the Commissioner of Lucknow. In 1879 and 1880 certain selected objects from the Museum at Allahabad were shifted to Lucknow while the rest were discarded and sold by public auction. In 1882, the Museum which came from Allahabad and the one which had been established at Lucknow were merged into one which was then transferred to the

30. The subject of *Vigyan Mandirs* is now with Agriculture (C) Department with effect from August 7, 1967.

Department of Agriculture and Commerce. In 1883 it was raised to the status of a Provincial Museum. In course of time it developed into a large museum of zoological specimens, archaeology and art. Its archaeological collection is particularly rich and contains stone sculptures, stone inscriptions, terracottas, beads, pottery, bricks, etc., from Mathura, Ahichhatra Sankisa, Kaushambhi, Bhita, Musa Nagar, Kannauj, Garhwal, Asht Bhuja (Mrizapur), Jaj Mau (Kanpur), Piprahwakot (Basti) and other places. The Museum displays the antiquities in Natural History, Pre-History, Coins, Sculptures, Metal Images, Terracottas, Stone Inscriptions, Copper Plates, Pottery, Seals, Beads, Manuscripts, Prints, Photographs, Arms, Musical Instruments, Paintings, Jewels, Ornaments, Textiles, Art Ware, Ivory Work, Wood Work, Toys, Metal Works and Anthropology. All sections of the Museum except those relating to Sculptures, Terracottas, Stone Inscriptions, Pottery and Seals were shifted in 1962 to the new three storeyed building of the State Museum constructed in the picturesque setting of Banarsibagh, Lucknow, where the objects are displayed in a scientific manner. The following galleries were set up in the new building:

#### *Ground Floor*

Natural History in deoramas throughout.  
(Zoological specimens).

#### *First Floor*

Bronze and Metal Ware, Paintings, Wood Work and Ivory,  
Coins, Manuscripts and *Farmans*, Musical Instruments,  
Arms, Textiles and Anthropological exhibits.

There are plans to set up further galleries for geological specimens, ornaments, jewellery and artware. Objects which are not on display are properly arranged to form live storage or study collection. The Museum has a good library and provides facilities to scholars for research work. The Government of India has selected it as one of the centres for training museum personnel. The Museum has its own Modelling Section, Photographic Laboratory, Chemical Laboratory and Workshop. It is under the charge of a Director, who is assisted by an Administrative Officer, a Numismatic Officer, four Assistant Curators and other technical hands.

#### *Archaeological Museum, Mathura*

9.5.4. The Archaeological Museum, Mathura was started in the year 1874 by F. S. Growse, then Collector of Mathura. The collection was housed in a small stone building near the local courts originally constructed from donations by *Raises* and *Zamindars* as a rest-house. It was thrown open to the public in 1881. At first it was managed by the local Municipal Board but in 1912 the State Government took it over. In 1929, the Government built a new building in Dempier Park to which the exhibits were removed in 1930. This building was further extended to form a complete octagon in 1961-62.

Though started as a site museum, the museum at Mathura has developed into a prominent archaeological museum of India having the largest collection under one roof of archaeological exhibits of the Kushana and Gupta period from historic Mathura. This collection ranges from 3rd Century B.C. to 10th Century A.D. and is considered the richest for the Kushana period in the world. The Museum is under the charge of a Curator, who is assisted by an Assistant Curator and other technical hands.

### *Archaeology*

9.5.5. Under the Constitution of India archaeology is a concurrent subject. The State Governments are, therefore, responsible for the maintenance and conservation of monuments and sites which are not of national importance but are important enough to be preserved. The survey, investigation and excavation also need the attention of agencies other than the Archaeological Survey of India in order to supplement the work done by the Central agency. A number of State Governments have, therefore, not only set up departments for the conservation of monuments but have also taken up academic activities in the field of Archaeology. An attempt was made in 1951 to pay a little more attention to this work and an Archaeological Officer was posted, but the post was abolished in 1953 and archaeological work was entrusted to the Director of the State Museum. This arrangement did not prove satisfactory and it was, therefore, decided in the year 1958 to set up a separate Archaeological Department with an Archaeological Officer, an Archaeological Engineer, an Archaeological Assistant and an Archaeological Overseer. This State is one of the richest in the matter of sites and monuments, and it is estimated that there are no less than a thousand important sites besides as many or even more monuments. At present, about 656 sites and monuments are under the protection of the Government of India. The State Government has taken under protection 35 monuments which were deprotected by the Government of India. The Department has commenced a survey of the entire State with the help of Universities in order to compile a comprehensive list of sites and monuments, to maintain and conserve through grants-in-aid the monuments under protection of the State Government, to undertake exploration and excavation of selected sites and to assist in similar activities conducted by other academic or learned institutions, and to conduct research and publish the results.

### *State Archives*

9.5.6. An organization known as the Central Record Office was set up at Allahabad in 1949 so that records of historical importance, which cease to be of administrative use, could be concentrated in a central place for the purpose of historical research and maintained in a manner most conducive to their preservation. Its name was later changed to State Archives in 1959 to bring it in line with the nomenclature adopted by the Government of India and other States. The

functions of this organization are:

- (1) Providing safe and central custody for the State's non-current records lying scattered in different departments, and with divisional, district and official agencies.
- (2) Maintenance, scientific preservation and utilization of Government records.
- (3) Throwing open official records for academic research.
- (4) Providing facilities for the microfilming and photostating of records.
- (5) Collection, maintenance and conservation of manuscripts and documents in private custody.
- (6) Surveying of records in public offices for assessing the importance and physical condition of records which are to be deposited in the Central Record Office.
- (7) Accessioning of non-current records and those likely to be weeded or endangered by neglect. [These are to be transferred to this Record Office.]
- (8) Technical advice to other departments of Government and non-official bodies on scientific preservation of records and manuscripts and bringing to the notice of Government cases where arrangements are unsatisfactory.

The Indian Historical Records Commission, the Research and Publication Committee and the National Committee of Archivists promote the development of archival offices. The Keeper of Archives is the State's representative on the above bodies. The State Archives co-operates with these organizations and keeps in touch with the National Archives of India and other State Archives. The records of the Secretariat, Regional and District Offices for the period up to 1900 have been collected in this office. In the year 1958 it was also decided to use the State Archives as a repository for manuscripts. When any office desires to hand-over non-current records to the Archives, they are sent along with a list drawn up by the previous owner. They are first fumigated and cleaned and are then classified according to administrative purpose for which they were created. Headings with appropriate labels are given to the various groups and series according to provenance. A broad subjectwise classification is made, *e.g.*, political, judicial, customs, etc. All records are arranged according to their office of origin. The records and manuscripts are available for inspection by members of the public on payment of certain prescribed fees. If required, copies are also prepared and issued on payment of certain charges. The Archives publish selections from records containing documents or proceedings of historical importance and relating to Uttar Pradesh, selections from Oriental Records comprising documents and manuscripts selected by the U.P. Regional Records Survey Committee and miscellaneous archival aids, such as catalogue and indexes of records and administrative reports. The



Archives have a library of reference books on history and archives. All bonafide research scholars are given facilities for research in the Archives under certain prescribed rules. On the recommendation of the Research and Publication Committee of the Indian Historical Records Commission, the State Government constituted a permanent Regional Records Survey Committee in 1951. The Committee makes recommendations about the acquisition of documents and manuscripts and on matters generally connected with the Archives. The Keeper of Archives, who is in-charge of the organization is assisted by an Assistant Keeper of Archives, an Administrative Officer and other Technical Assistants. It has been decided to shift the Archives from Allahabad to Lucknow, necessary arrangements for which are being made. A lamination machine for repairing old and brittle records scientifically has been installed at Lucknow.

#### *State Observatory, Naini Tal*

9.5.7. In 1951 Government decided to set up an Astronomical Observatory. It was set up for the first time at Varanasi in 1954. It was then proposed to shift it to Sarnath but the site was not considered suitable for astronomical observations. A survey of regions around Nainital, Dehra Dun and Mussoorie was made in 1954 to select a site as free as possible from haze, dust and smoke in order to get good visibility for astronomical observations. Ultimately Manora Peak, Nainital was selected at a height of about 6,400 feet above sea level, and an area of about 120 acres was acquired. The Observatory was first shifted to a hired building in 1955 pending construction of the buildings at Manora Peak. It was declared open in June, 1962 in its new buildings. It is under the charge of a Director, who has for his assistance a number of Assistant Astronomers, Scientific Officers, Scientific Assistants and other technical staff. The buildings and installations of the Observatory consist of the main office building, telescope houses, house for the satellite tracking camera, satellite tracking laboratory, workshop, garages, fuel stores and residences for staff. The Observatory has four telescopes the largest being a 22" reflector. Arrangements are being made to acquire a 40" telescope from East Germany which will bring the State Observatory in line with the second class observatories of the world. There is an optical laboratory, a standard time installation and electronic laboratory. Its library has a good collection of books, journals, reprints, stellar charts and maps. The principal activities of the Observatory are:

- (i) Photometry with 10" reflector and 15" reflector. These studies are helpful in getting information of the light output of stars when it is not constant but changes either in a regular fixed cyclic manner or otherwise. It is through such studies that information on basic features such as mass and radii of stars has been obtained.
- (ii) Analysis of data obtained at other observatories.
- (iii) Observation of eclipses.

- (iv) Investigation of diurnal variation characteristic of air glow emission line.
- (v) Photographing of planets and stars.
- (vi) Optical tracking of artificial satellite (This Observatory is one of the twelve Satellite Tracking Stations in the World).
- (vii) Photography of moon.
- (viii) Maintenance of weather records.
- (ix) Research work on problems connected with astronomy.

*Government College of Arts & Crafts, Lucknow*

9.5.8. The Government College of Arts & Crafts was established originally as a School in 1911 under a Principal as a result of the recommendations of the Industrial Conference held in 1907. The aim of establishing this institution was to improve designs and to create interest therefor amongst the public. At the time of establishment, the institution had the following courses for each of which a diploma was awarded at the end of five years:

1. Fine Art.
2. Drawing for Reproduction (subsequently named as Commercial Art).
3. Process Class (subsequently named as Litho Process Photo-Mechanical).
4. Architectural Draughtsman (subsequently named as Architectural Design and Draughtsman).
5. Iron Work (subsequently named as Iron and Heavy Metal Work).
6. Wood work.
7. Silver Smithy } Later on both were merged into one course
8. Gold Smithy } known as Gold Smithy and Silver Smithy.

A Committee was set up in 1954 to recommend reorganization of the institution for bringing it in line with similar institutions in other parts of the country. As a result of the recommendations of this Committee, more courses were introduced and the School was upgraded into a College. In 1964, as a result of the recommendations of a Committee set up by the Government of India, Ministry of Education, the syllabus of National Diploma Course, as laid down by the All India Council for Technical Education, was adopted and the College now offers the following courses:

Sl. No.	Name of course	Duration	Sl. No.	Name of course	Duration
1.	Post-Diploma in Fine Art, Sculpture, Commercial Art and Graphics	1 year	4.	Diploma in Commercial Art	5 years
2.	Diploma in Fine Art	5 years	5.	Diploma in Litho Process Photo Mechanical	5 years
3.	Diploma in Sculpture	5 years	6.	Diploma in Architectural Assistantship.	3 years

<i>Sl. No.</i>	<i>Name of course</i>	<i>Duration</i>	<i>Sl. No.</i>	<i>Name of course</i>	<i>Duration</i>
7.	Diploma in Iron and Heavy Metal Works	3 years	11.	Certificate in Home Arts and Home Crafts	2 years
8.	Diploma in Wood Work (Cabinet making and Carving)	3 years	12.	Certificate in Art Master's Training	2 years
9.	Diploma in Furniture Design	3 years	13.	Certificate in Clay Modelling	3 years
10.	Diploma in Home Arts and Home Crafts	1 year	14.	Certificate in Pottery	3 years
			15.	Casual Classes for Girls in Painting	...
			16.	Evening Classes in Painting	...

Besides the Principal, the other senior posts in the College are those of Professors of Fine Art and Architecture; Assistant Professors of Fine Art, sculpture, Commercial Art, Crafts and Applied Art, Art Master's Training and Architecture and that of Registrar. There is a Museum and an Art Gallery, a Design Research Section, an Auditorium and an Open Air Theatre in the College. The College conducts its own examinations for various courses, diplomas and certificates for which are awarded by the Director of Cultural Affairs, Uttar Pradesh, except that the examination in Architectural Assistantship is conducted by the Board of Technical Education, Uttar Pradesh, which also awards diploma for that course. Lucknow is known for its indigenous industry in toy making and other crafts and the College of Arts and Crafts is contributing its share in keeping alive the traditions in these trades. Lucknow school of painting is also famous for its own characteristics and the College is developing it keeping in view the traditions of that school too, besides keeping abreast with the modern trends in art.

#### *Bhatkhande College of Hindustani Music, Lucknow*

9.5.9. The college was established in the year 1926. It is an institution of national repute which coaches students in vocal and instrumental music and dance. The various courses of studies in all these three branches are:

1. Elementary class—six months duration.
2. Madhyama (Intermediate)—3 years course.
3. Visharad (Graduate)—2 years course.
4. Nipun (Post-graduate)—2 years course.

Earlier, the college was run under the control of U.P. Sangeet Natya Bharti out of the grant-in-aid paid by the State Government. In March, 1965 the State Government constituted a committee under the Chairmanship of Dr. B. V. Keskar, formerly Minister for Information and Broadcasting, Government of India to review the working of the music institutions in the State, which after careful consideration recommended that the Bhatkhande College should be run by the State Government itself keeping in view its repute and standard. Accordingly, the State Government took the management and control of the

college with effect from March 26, 1966. Government have also constituted a Management Committee to look after its smooth functioning and proper development.

*U.P. Sangeet Natak Academy, Lucknow*

9.5.10. It was established on October 20, 1963 in the name of U.P. Sangeet Natya Bharti, as an autonomous body financed by the State Government. The main object of its establishment is the co-ordination of activities in the field of dance, drama and music.

*State Council of Scientific and Industrial Research, Lucknow*

9.5.11. The main aided institution which functioned under this Department was the defunct Scientific Research Committee which was converted in October, 1963 into an autonomous body, viz., the State Council of Scientific and Industrial Research. On the recommendations of the Scientific Research Committee, the State Government sanctioned grants to universities and other institutions for carrying on research in approved schemes. In all about 746 schemes were sponsored between 1947 and 1961 for which an amount of Rs. 27,29,689 was given in grants. The committee published a number of monographs and advised the State Government generally on matter concerning scientific research. The chief aim of the new body created as the State Council of Scientific and Industrial Research, is to foster applied research of interest to industry, agriculture, horticulture and animal husbandry. For the purpose of carrying on research on special problems of industry in this State, it is proposed to set up a Regional Research Laboratory. The Council is headed by the Chief Minister of the State. It consists of 22 Members, most of whom are Scientists, and an honorary Secretary.

*State Lalit Kala Akadami, Lucknow*

9.5.12. The State Lalit Kala Akadami, U.P., was established in February, 1962, as an autonomous body, to foster and co-ordinate activities in the sphere of visual and plastic arts in the State. The State Akadami receives grants from the State Government as also from the Central Lalit Kala Akadami. The main functions of the Akadami are to encourage and promote study and research in the fields of painting, sculpture and architecture and applied arts; to publish and to promote publication of literature on art; to promote co-operation amongst artists and art associations; to organize exhibitions of paintings and sculptures; to organize lectures on art; to arrange for the reproduction of modern paintings for their sale; to promote the study of traditional art and craft techniques and organise surveys of and to encourage surviving indigenous craftsmen, painters and sculpturers. The officers of the Akadami are the Chairman, Vice-Chairman, Treasurer and Secretary. The Akadami functions through the General Council, Executive Board and the Finance Committee. The Chairman and the Treasurer are appointed by the Government. The General Council consists of the Chairman; Secre-

tary to Government, Cultural Affairs and Scientific Research Department; Director, Cultural Affairs; Treasurer; Principal, Government College of Arts and Crafts; five persons nominated by the Government; five representatives elected by art organizations and institutions recognized by the Akademi and six eminent artists resident in or practising in the State.

9.5.13. Other main aided institutions are Raza Library of Manuscripts at Rampur which is run by a Trust and to which grants are given by the State Government for maintenance; Municipal Museum at Allahabad; Bharat Kala Bhawan, Varanasi; Gurukul Kangri Museum, Hardwar and Gandhi Museum at Kalpi.

9.5.14. Some of the main advisory bodies are—

(i) *Museum Advisory Board*. This Board, which consists of 15 nominated members, was set up in the year 1950 with the object of advising the Government in matters concerning the running of museums. The term is of three years.

(ii) *Purchase Committee for Museums*. This Committee of about six experts, advises Government on objects to be acquired for the State Museum, Lucknow and the Archaeological Museum, Mathura and is reconstituted every third year.

(iii) *Advisory Committee for the State Observatory, Naini Tal*. This consists of 13 members with the Minister concerned as Chairman. It is constituted for a period of three years to aid and advise Government on development of the Observatory.

(iv) *Advisory Committee for Archaeology*. The Committee, which consists of official and non-official members, advises Government on archaeological matters. It has 13 members appointed for a term of three years.

(v) *Advisory Committee for the Government College of Arts and Crafts, Lucknow*. This Committee, with the Minister for Cultural Affairs as Chairman, advises Government on all matters relating to reorganization and development of the college.

(vi) *U.P. Regional Records Survey Committee*. It conducts surveys with a view to bring to light records and manuscripts of historical and scientific importance in private custody. It also arranges for acquisition of such records and renders technical advice to owners of private collections on preservation of records. The Committee consists of 15 members including all the members of the Indian Historical Records Commission residing in this State. It is constituted for a period of three years.

(vii) *Purchase Committee for Archives*. This consists of seven experts who assist the Regional Records Survey Committee in examining and assessing their importance and value with a view to acquire them for the State Archives.

## Acts, Rules and Manual

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<i>Acts</i>			
1.	Treasure Trove Act	1878	Govt. of India
2.	Ancient Monuments Act.	1904	—do—
3.	U.P. Ancient and Historical Monuments and Archaeological Sites and Remains Act.	1956	State Govt.
4.	Ancient Monuments and Archaeological Sites and Remains Act.	1958	Govt. of India.
<i>Rules</i>			
5.	Treasure Trove Rules.	—	Govt. of India
6.	Ancient Monuments and Archaeological Sites and Remains Rules.	1959	—do—
7.	Museum Manual.	1963	State Govt.

## Annual Administration Reports

<i>Sl. No.</i>	<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
1.	Progress Report of the State Astronomical Observatory, Nainital.	April-March	1955	Director, Cultural Affairs and Scientific Research.
2.	Report on the Working of Scientific Research Committee (now State Council of Scientific and Industrial Research).	April-March	1947	Director, Cultural Affairs and Scientific Research.
3.	Annual Report on the Working of the State Museum, Lucknow.	April-March	1885	Director, State Museum.
4.	Annual Report of the Museum at Mathura.	April-March	1932	Curator of Mathura Museum.
5.	Annual Report of State Archives, Allahabad.	April-March	1948	Keeper, State Archives.

**Note**—All the above annual reports are now being published by the Department, since 1964-65, in a consolidated volume under the name of "Review of the Activities of Cultural Affairs and Scientific Research Department."



## 9.6. RELIEF AND REHABILITATION DEPARTMENT

9.6.1. In Uttar Pradesh the influx of displaced persons from Pakistan started at the end of February, 1947 and the momentum started increasing almost immediately; so that by the end of December, 1947 their number at a conservative estimate soared to about four lakhs. In order to rehabilitate these uprooted people, the Government of India set up a separate Ministry of Relief and Rehabilitation at the Centre. The Government of Uttar Pradesh also established a separate department in September, 1947. The Department assumed so much importance and significance that the Chief Minister (then Premier) took over the portfolio and the Chief Secretary was designated as Commissioner, Relief and Rehabilitation, in addition to his own duties. Government thereafter geared its administrative machinery to provide relief to the shelterless. The main items of works undertaken were opening of relief camps, construction of residential quarters, shops and townships through State enterprise, private builders and co-operative societies and grant of rural, urban, agricultural, educational, business and industrial loans.

9.6.2. In 1948, the Relief and Rehabilitation Department was created with four Sections and at its head was the Secretary and Commissioner, Relief and Rehabilitation. In almost each district an officer, designated as District Relief and Rehabilitation Officer, was appointed to meet the local problem. He was responsible for implementation of the policy framed by the Government and for maintenance of liaison between the Commissioner, Relief and Rehabilitation, and displaced persons. He was given powers to register bona-fide displaced persons on his books and thereby to extend all rehabilitation facilities as admissible under the rules. As the problem of rehabilitation was a national problem, the Government of India provided the entire expenditure in connection with the maintenance of the establishment. During the peak period the expenditure on rehabilitation amounted to almost a crore and half of rupees every year.

9.6.3. The Evacuee Property Department, a twin Department which was also set up for administration of the property left by Muslim evacuees migrating to Pakistan, was subsequently closed down with effect from October 22, 1956 consequent on the Ministry of Rehabilitation themselves taking over the powers so far exercisable by the State Government under the Administration of Evacuee Property Act, 1950. The State Government, however, continued to deal with the work relating to separation of the evacuee and non-evacuee interests admixed in composite evacuee properties, and arranging sale of the rural composite properties. Likewise, the work of verification of claims of evacuee government servants of former states and local bodies for arrears of pay, pension, provident fund, security deposit, etc., and verification of claims of evacuee contractors and others for dues payable by Government and quasi-Government bodies, was taken over by the Central Claims Organization of the Ministry of Rehabilitation, Government of India, with effect from May 1, 1960.

9.6.4. With the progressive resettlement of displaced persons there has been a general diminution of activities and much work, which was of a permanent nature, has been transferred to allied departments of the Government. The following subjects are now being dealt in the departments noted against each:—

- |   |                            |
|---|----------------------------|
| 1. Medical facilities to displaced persons.                                       | Medical Department.        |
| 2. Educational schemes.   | Education Department.      |
| 3. Vocational and Industrial Training Schemes.                                    | Labour Department.         |
| 4. Industrial Loans and setting up of industries in refugee townships.            | Industries Department.     |
| 5. Homes and payment of maintenance allowance to displaced persons outside Homes. | Social Welfare Department. |

9.6.5. The residual work of the displaced persons consisted only of completion of property and loans registers, recovery of loans and their repayment to the Government of India. All Government built properties were placed in the Compensation Pool for disposal by the Regional Settlement Commissioner of the Government of India for Uttar Pradesh and for adjustment of sale proceeds towards repayment of the loans of the Government of India. The problem of rehabilitation had been virtually solved and displaced persons no longer formed a separate entity; they had more or less been assimilated in the normal population of this State and the Department was being wound up, when the influx of a fresh batch of displaced persons from East Pakistan started and the Government of India requested the State Government in 1964 to rehabilitate about 5,000 agriculturist and non-agriculturist families. Two transit camps were set up for maintenance of these new migrant families—one at Rudrapur in district Naini Tal and the other at Hastinapur in district Meerut—until their absorption in the economy of the State. A large number of Indians who resided in Burma also returned to India due to the difficulties created for them in that country as a sequel to the nationalization of various spheres of the Burmese economy. The rehabilitation of these repatriates who arrived in Uttar Pradesh is also arranged by this Department. The size of the budget which had shrunk to about Rs. 25 lakhs in 1962 was again increased to Rs. 64.6 lakhs in 1965.

9.6.6. The Relief and Rehabilitation Department is now concerned with work relating to registration of displaced persons and inter-district and inter-State transfers; restoration of property of muslim evacuees under Indo-Pakistan Agreement; sale of composite property under the Evacuee Interest (Separation) Act, 1951; gratuitous relief to displaced persons in indigent circumstances; rehabilitation of fresh batch of displaced persons from East Pakistan in service, business, industry or agriculture, land settlement and colonization schemes;

loans to Kashmiri displaced persons; acquisition of land and construction of houses, shops, factories and workshops; allotment of government quarters, shops and stalls; fixation and realization of rent; grant of remissions and rebates in respect of rent; grant of loans to co-operative housing societies of displaced persons, local bodies and private enterprise for the construction of houses, shops, etc., for displaced persons; maintenance and repairs of government buildings constructed for displaced persons awaiting disposal; payment of charges on account of services rendered to local bodies in respect of government quarters and shops; valuation and disposal of Government built property, disposal of vacant plots of land in the rehabilitation colonies and inclusion of houses constructed by the local bodies and private builders in the Compensation Pool.

9.6.7. The agriculturist families of displaced persons from East Pakistan (old influx) have been given assistance in the shape of land, loans for initial sowing, purchase of implements, maintenance allowances from the date of their arrival up to the harvesting of their first crop, one room quarters and additional loans for tractorization, harrowing, etc. They have been resettled in the districts of Naini Tal, Pilibhit, Bijnor, Rampur, Bahraich and Bareilly. For the rehabilitation of recent migrant families, a survey of suitable surplus land available in the State with *Gaon Samajs*, and with Forest and Revenue Departments and private individuals was carried out for allotment to these displaced persons.

9.6.8. The Department has three attached offices and subordinate district offices. The Secretariat staff consists of:

Secretary	
(Who is also Commissioner, R. & R., U.P.)	1
Deputy Secretary	
(Who is also Deputy Commissioner, R. & R., U.P.)	1
Superintendent	1

9.6.9. The attached offices are:

(1) *Office of the Commissioner, Relief and Rehabilitation, U.P., Lucknow.* This is an integral part of the Secretariat office, in as much as the Secretary is also the Commissioner, Relief and Rehabilitation and while the Deputy Commissioner holds *ex-officio* rank in the Secretariat hierarchy, he actually holds substantive post in the Commissioner's office. They are assisted by an Assistant Accounts Officer, an Assistant Commissioner and a Deputy Director of Agriculture. The office of the Commissioner, Relief and Rehabilitation, is primarily responsible for the execution of various policies of the Government, preparation of budget, maintenance of accounts of expenditure and receipts, obtaining reimbursement of expenditure from the Government of India, and maintenance of loan accounts.

(2) *Office of the Competent Officer, Lucknow.* The Evacuee Interest (Separation) Act, 1951 was enacted by the Parliament with a view to making special provision for the separation of the evacuee

and non-evacuee interests admixed in composite evacuee properties. The whole of the State was in the beginning divided into six Circles each under a Judicial Officer appointed as Competent Officer in-charge of each Circle comprising of eight to nine districts with their headquarters at Lucknow, Meerut, Moradabad, Agra, Allahabad and Faizabad. Six Assistant Custodians, who were under the Ministry of Rehabilitation, were also attached to them to conduct cases before them on behalf of the Custodian of Evacuee Property, in so far as evacuee share was concerned. The Competent Officer toured each district under his jurisdiction and decided the cases either at the headquarters or in the district according to the convenience of the claimants. As soon as the Assistant Custodian of the district furnished details of composite evacuee properties to the Competent Officer concerned, notices were issued to individual claimants and co-sharers and objections were invited from them. On receipt of their objections, dates were fixed by the Competent Officers for the hearing of the objections and their claims adjudicated upon. Non-evacuee co-sharers are afforded opportunity to purchase the evacuee share on payment of the reserved price fixed by the Valuation Officer and if the co-sharer is willing to pay the reserved price, the property is ordered to be transferred to him by the Competent Officer with the consent of the Custodian. In the event of the claimant's failure to purchase the evacuee share, the whole property is put to auction. With the gradually diminishing volume of work, two Circles of the Competent Officer, viz., Faizabad and Moradabad were abolished from March 1, 1958 and the pending work was distributed amongst the remaining Circles. Three Circles of Competent Officers, Agra, Allahabad and Meerut were further abolished with effect from September 1, 1958, November 1, 1958 and June 1, 1963, respectively.

(3) *Office of the Sale Officer, Lucknow.* It has been stated above that a non-evacuee co-sharer is offered by the Competent Officer the purchase of the evacuee's share in the composite property and in the event of his unwillingness to do so, the whole property is put to auction. Now, the urban composite properties are auctioned through the agency of the Settlement Organization of the Ministry of Rehabilitation, Government of India, but the sale of rural composite properties is the responsibility of the State Government. One Sale Officer at the headquarters and six Assistant Sale Officers for the six Circles of Competent Officers were originally appointed for evaluation and sale of the rural composite properties which were scattered all over the State. The valuation and the sale units which started functioning from October, 1956, have now completed a major part of the work. At present only one Sale Officer is functioning at the headquarters at Lucknow.

9.6.10. In districts, the District Magistrate is in overall charge of the relief and rehabilitation work, and he entrusts the job to one of the officers under him who is usually designated as District Relief and Rehabilitation Officer. In some districts the work is looked after by Assistant Settlement Officer or Managing Officer of the Minis-

try of Rehabilitation, if such an officer happens to be posted there. In the past, this Department had appointed whole-time District Relief and Rehabilitation Officers in a few important districts where there was a large concentration of displaced persons but since sometime there are whole-time District Relief and Rehabilitation Officers posted only in Naini Tal, Meerut, Pilibhit, Bijnor and Kheri districts. The District Relief and Rehabilitation Officers of the last named three districts have been mainly put in-charge of the various schemes for re-settlement of displaced agriculturists from East Pakistan on land. In the districts where little work is left, it is looked after by a Deputy Collector, who does it as a part of his other normal duties.

## 9.7. HARIJAN SAHAYAK AND SOCIAL WELFARE DEPARTMENTS

9.7.1. These Departments, as their names indicate, deal with schemes for the welfare of persons who suffer from socio-economic handicaps. The first is concerned with the members of Scheduled Castes and Scheduled Tribes,<sup>31</sup> Backward Classes<sup>32</sup> and Criminal Tribes, which were later known as de-notified tribes or *Vimukti Jatis*. The second deals generally with Welfare services offered to individuals and groups as distinct from such general social services like education, health, labour welfare, etc., which are offered by the State to the entire community. Owing to the overlapping nature of such activities there are some exceptions too. Welfare service for the aged and infirm is being handled by the Labour Department.

9.7.2. In Uttar Pradesh, the members of Scheduled Castes and Backward Classes, etc., number over four crores. With such a large section of unprivileged and undeveloped people, it was not possible to achieve significant socio-economic development without bringing these classes in level with the rest of the community.

### *Harijan Sahayak Department*

9.7.3. Since the history of the department is, in its early stages, closely linked with the surveillance over and reform of criminal tribes, a brief reference to these tribes may be made, notwithstanding the fact that there were only a few such tribes and their number was not large in the whole State. In the early nineteenth century when northern India was overrun by thugs and dacoits, a special "Thugi and Dacoity" Department was created in 1839 by the Government of India for suppressing such crimes. The working experience of this Department led to the enactment of the first Criminal Tribes Act in 1871, which was amended in 1897, replaced by another Act in 1911 and again in 1924. The work in connection with these tribes consisted mainly of surveillance, registration and reformation. Under the provisions of these Acts, restrictions were placed on the movement of male members of these tribes and they were required to remain within the habitations occupied by them. Occasional checks on their presence were also made by the police. Nevertheless, they managed

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31. Under Article 366(24) of the Constitution of India, read with Article 341, "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes, as the President of India may, after consultation with the Governor of the State, specify by public notification in relation to that State, for the purposes and various safeguards provided in the Constitution, as dealt with in subsequent portions. A list of these Castes in Uttar Pradesh published under the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 and the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956 according to which no person who professes a religion different from the Hindu or the Sikh religion is deemed to be a member of Scheduled Castes in the State, is given on p. 549. A list of Scheduled Tribes in this State, as published under the Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967, is given on page 550.

32. A list of these classes is on p. 550.



to slip out and commit offences of theft and burglary to which they were traditionally accustomed. The reformatory work was in the earlier period taken up by the Salvation Army, a Christian missionary organization, which was maintaining a few residential primary schools receiving petty grants-in-aid from local boards. Representations had been made to the Government many times and at various levels for the transfer of this work from the Salvation Army to organizations of the faith professed by the tribes. In 1938 the Criminal Tribes Enquiry Committee was set up and on its recommendations, a Reclamation Department was set up in 1940 to take up reformatory work under the Criminal Tribes Act. Prior to it, surveillance, registration and reformation of this class of persons was the concern of the Home Department who handled it through the Police. The field activities of the Department were carried out by a Reclamation Officer posted at Lucknow. The Department was entrusted with some work of welfare of Scheduled Castes also. This work consisted mainly of sanctioning grants-in-aid to small scale industries and organizations of panchayats amongst depressed classes.

9.7.4. A small beginning was made in 1930, when the Education Department formulated a scheme for award of stipends to students of Scheduled Castes. As soon as the Congress came into office in 1937, it started a few schemes of welfare through various departments.

9.7.5. The real expansion of these activities, however, started after the country gained independence when steps were taken for removal of certain social disabilities of Scheduled Castes, by the enactment of the U.P. Removal of Social Disabilities Act, 1947. The Act, which covered a wide field of social reforms, was to ensure to the members of Scheduled Castes the unrestricted enjoyment of civil liberties. They could carry on any business, trade or occupation and could enter any Hindu temple or place of worship. Any person placing hindrance in their way or extorting labour from them against their will or making them to work without wages or on inadequate wages was liable to be punished under the Act. In short, it secured to them the undisturbed enjoyment of their lawful rights. The Act came into force from September 1, 1947. The Criminal Tribes Act was also deemed very harsh and it was considered unjust to classify a whole tribe as criminal. The Central Government appointed a Committee in 1949 which recommended that the Criminal Tribes Act be repealed on the ground that it was against the spirit of the Constitution of India, as it indirectly sanctioned forced labour and that, only a small percentage (2.3) of the notified tribes were actually registered and a smaller percentage out of them were actual criminals. The members of the Criminal Tribes were thus burdened with a stigma of opprobrium and disparagement. The committee suggested that habitual offenders, irrespective of caste or tribe, should be dealt with separately. The Act was, therefore, repealed on August 31, 1952 and the State Government enacted a Habitual Offenders Act, 1952 instead, with the result that the so called

Criminal Tribes were no longer to be called by that name. These are known as *Vimukti Jatis*, and are free like other citizens of the country. Government have since been making efforts to secure for them such social adjustments that may restrain and deter them from the urge of reverting to unlawful activities.

9.7.6. The Reclamation Department which continued till the year 1949 was later replaced by the Harijan Sahayak<sup>33</sup> Department at the Secretariat level. A Harijan Sahayak Office under the charge of the Provincial Harijan Sahayak Officer, with headquarters at Lucknow, was also set up in addition to the Reclamation Office. The newly formed Harijan Sahayak Department covered a much larger field of activity related specially to the welfare and economic uplift of Scheduled Castes and other depressed classes. As the work increased, the need for greater co-ordination in various welfare activities of different units was felt. A reorganization was started in April, 1951, and the work of the Reclamation Department, the Education Department and of the Provincial Harijan Sahayak Officer was brought together at one place and a Harijan Sahayak Office under the State Harijan Officer was set up at Lucknow. The designation of the State Harijan Sahayak Officer was later on changed from August 15, 1953, to that of Director, Harijan Welfare, U.P.

9.7.7. On the lines of the U.P. Removal of Social Disabilities Act, 1947, other State Governments had also enacted their own corresponding laws for the purpose. Article 17 of the Constitution of India, however, provides unequivocally for the abolition of 'Untouchability' and it further lays down that its practice in any form is forbidden; the enforcement of any disability arising out of 'Untouchability' constitutes an offence punishable in accordance with law. The Government of India have, accordingly, enacted a unified law applicable to the whole of India prescribing punishment for the practice of 'Untouchability', for the removal of any disability arising therefrom and for other matters connected therewith; and have enacted the Untouchability (Offences) Act, 1955, which came into force from June 1, 1955, in consequence of which the corresponding State Act of 1947, as also other State Governments, stand repealed.<sup>34</sup>

9.7.8. Government also took up steps for providing civil employment to members of Scheduled Castes in greater number. In December, 1944, the upper age limit for recruitment to any civil post in connection with the affairs of the State for candidates of these castes was extended by three years over that provided for other candidates. Under the orders issued in the year 1953, this concession was also extended to candidates belonging to non-Scheduled Castes of "Aheria", "Kori", "Khatik" and "Tharu". Another major decision taken in the year 1947 was the reservation of ten per cent of the total vacancies in the services and posts filled by direct recruitment for

33. The name 'Harijan' was given by Mahatma Gandhi to Hindus belonging to Scheduled Castes and other backward classes.

34. See Chapter 11.10—Department of National Integration.

candidates of these classes provided they fulfilled the minimum qualifications. Since these castes have for ages been discriminated against, very few of them really get the advantage of living in an environment conducive to the processes of education and culture. It was, therefore, felt that the application of the usual standards of merit was likely to leave them very much under-represented, if not completely un-represented. It was, therefore, made clear subsequently that the reservation implied the application of lower standard of test in the selection of candidates; and while the administration could not, at the same time, afford to have on its rolls officers who were not fit, it was laid down that the work of candidates so selected was to be watched carefully during the usual period of probation. This general reservation was, however, increased to 18 per cent in the year 1953, so as to bring it in accord with the population ratio, and the concession was further extended in the year 1958 to all grades in all services and posts. The concession in upper age limit for recruitment to any civil post allowed to the candidates of Scheduled Castes in the year 1944 was further revised, and the upper age limit was increased by five years for non-gazetted posts in the year 1952 and for gazetted posts in the year 1955, over that prescribed for candidates not belonging to Scheduled Castes.<sup>35</sup> For backward classes, Government have emphasized from time to time that their interest should in general be always borne in mind in making appointments, and while there are no hard and fast rules in this behalf, the two criteria which, in the very nature of things, are always taken into consideration are educational backwardness and inadequate representation in the services as a result of the handicaps to which they are subject.

9.7.9 Government also appointed in September, 1959 a Committee to examine the cause of the inadequate representation of Scheduled Castes in services and posts and to recommend ways and means for increasing this representation consistent with the maintenance of efficiency in services.

#### *Social Welfare Department*

9.7.10. This Department is of recent origin. After Independence when the welfare programmes were originally introduced in the State, there was no organized department solely for public welfare and each programme falling within the sphere of welfare services was assigned for administrative purposes to some or the other department of Government, whose main function was usually different from social welfare administration. The general increase in awareness necessitated the creation of a separate department in 1955. Steps were taken by Government to transfer a number of welfare schemes from other departments to this new Department. Some of the important activities

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35. Matters relating to such reservations in services were being dealt with formerly in Appointment (B) Department (Chapter 3.1), but subsequently, on the creation of a new Department of National Integration, they were transferred to the latter. For further details, see Chapter 11.10 on that Department.

and programmes of the Department are discussed in the following paragraphs.

9.7.11. The history of legislation to combat the evil of prostitution and trafficking in women and girls in this State dates back to 1929 when the U.P. Minor Girls Protection Act and the Naik Girls Protection Act were first enacted by the State Legislature. These two enactments were followed by a more comprehensive legislation known as the U.P. Suppression of Immoral Traffic Act, 1933, but somehow it could not be implemented properly. The Naik Girls Protection Act, 1929 on the other hand, was most effectively enforced in the hilly regions of the State, and it succeeded to a large extent in protecting naik girls from immoral traffic. All these enactments now stand repealed with the passing of the Central Act, *viz.*, the Suppression of Immoral Traffic in Women and Girls Act, 1956, which came into force in all the States from May 1, 1958.

9.7.12. Welfare programmes for women and children in the rural areas of the State were started as early as 1939. Work was originally initiated by the then Rural Development Department, but after the abolition of that Department, it was transferred in 1950 to the Co-operative Department and then to the Planning Department. However, with the creation of Social Welfare Department in 1955, this work was appropriately brought under the administrative control of this Department.

9.7.13. Care of deserted and distressed women and children has been one of the earlier fields of social effort in India. Some non-official agencies have always been doing very useful work in the field of institutional care of deserted and distressed women and children by running custodial Homes for them. Active official interest in this sphere started when the Government of India set up in 1951 two Advisory Committees—one on social and moral hygiene and the other on after-care services. It was as a result of the recommendations of these two committees that Social and Moral Hygiene and After-care Services Scheme was jointly launched by the Central and the State Governments throughout the country. This Scheme is being implemented in this State from December, 1957. A vigorous scheme of National Extension Service Blocks was also launched throughout the country in 1953-54 and the organization of women's welfare activities became an integral part of the Community Development Programme. At about the same time in 1954, a new organization known as the State Social Welfare Advisory Board was created, as an agency of the Central Board, mainly to make recommendations for grants-in-aid to voluntary social welfare institutions and to co-ordinate social welfare activities at the State level. Subsequently, this Board came to be associated also with the actual execution of certain other programmes of the Central Social Welfare Board, particularly the scheme of Welfare Extension Projects. On the creation of the separate Department of Social Welfare the Women Welfare Scheme was entrusted to it but the Planning Department and later the Community Development Department retained with it part of the women welfare

programmes in Community Development Blocks. A proper integration of the programmes of both the Departments was, however, achieved in 1960. There are, thus, at present three separate agencies namely the Social Welfare Department, the Community Development Department and the State Social Welfare Advisory Board for carrying out women's welfare activities in rural areas. This Department, however, continues to be the co-ordinating agency for this programme. The subjects relating to the administration of charitable and religious endowments trusts, control of temples and religious institutions and grants to temples in merged enclaves, which were hitherto dealt with in other departments were also taken over by this Department.

*Integration of Harijan Sahayak and Social Welfare Departments*

9.7.14. With a view to affecting economy in expenditure on the direction and the administration of various welfare schemes, the Harijan and Social Welfare Department was proposed to be merged into one. The implementation of this decision is being worked out in stages. Both the Departments are already integrated at the level of the Director, in as much as that they are under the same officer. The posts of District Harijan Welfare Officer and Social Welfare Officer were also merged from August, 1961, to look after the welfare activities of both the Departments at the district level.

9.7.15. In the Secretariat, a Harijan Sahayak Section, which was created in 1948, first formed part of the Home (Criminal) Department, but it was soon afterwards, in the same year, made an independent section under the charge of Secretary to Government in the Agriculture Department. In 1954, however, it was placed under the charge of Secretary to Government, Education Department, and formed a sub-section of the Education Branch. It was only in 1960 that a full-fledged Harijan Sahayak Department was formed and placed under the Planning Branch, with Secretary to Government, Planning Department, as its Secretary also. Similarly, the Social Welfare Department formed originally in 1955, was initially placed under the Secretary to Government, Industries Department, but in 1960 it was brought under the Secretary to Government, Planning Department. In February, 1964, however, both the Departments were placed under the Secretary to Government, Education Department, but subsequently, they were transferred to the control of the Secretary, Information Department in July, 1968. The Secretariat staff of these departments consists of:

Secretary, (who is also Secretary, Information, Cultural Affairs and National Integration)	1
Deputy Secretary	1
Assistant Secretary	1
Superintendent	2

9.7.16. The subjects dealt with in the Departments broadly are:

- (A) *Harijan Sahayak Department.* Education of members of Scheduled Castes and schemes for their welfare; administration of ex-criminal tribes settlements and colonies; administration of the Untouchability (Offences) Act, 1955; *Begar*; grants to non-official bodies and social workers for maintenance of institutions and committees devoted to the cause of members of scheduled castes and backward classes, organization and administration of panchayats of ex-criminal tribes and depressed classes; State Harijan Sahayak Board.
- (B) *Social Welfare Department.* Women's welfare schemes; child welfare, uplift of fallen and destitute women and destitute children; orphanages, poor houses and widow's homes, suppression of immoral traffic, religious and charitable endowments and trusts; Youth Welfare Scheme, beggary; burial and cremation of paupers; grants to *Sewa Samitis*, Y.M.C.A., Y.W.C.A., other rescue organizations and social and charitable institutions, institutions for deaf, dumb and blind, education of physically handicapped children, urban welfare schemes, charitable grants for temples in merged enclaves, management and control of temples and religious institutions, work houses for beggars and infirmaries, moral and social hygiene and after-care services programmes, U.P. Council of Social Welfare; *Dharmada*, Probation Service; Central Social Welfare Board, State Social Welfare Advisory Board and the U.P. Children Act.

9.7.17. The problems coming within the sphere of Harijan and Social Welfare are complex and programmes are heavy. Their successful progress does not depend mainly on the rules of governmental business, but to a large extent on the official and non-official co-operation and popular support. Both the Harijan Welfare and Social Welfare Departments function mostly as liaison departments and supplement the activities of other State departments in various spheres of activities. Along with this, the State Government have to co-ordinate their activities with various Ministries of the Government of India who are concerned with these activities, viz., Home, Education, Labour, Health, Rehabilitation, Community Development; Works, Housing and Supply, etc., and also with the Commissioner for Scheduled Castes and Scheduled Tribes appointed by the Government of India and the Central Board for Social Welfare. Numerous advisory committees with greater non-official representation have been formed so that the schemes formulated by the Departments get maximum popular support. Though voluntary welfare organizations are free to undertake any of their welfare schemes, Government see that their activities are in harmony with the schemes or policies of Government. This they achieve through the system of grants given to such voluntary organizations and periodic checks to see that the grants



are utilized for the specific purposes. Legislative measures like U.P. Women's and Children's Institutions (Control) Act, 1956, etc., are also taken to check and control any untoward trend noticed in any field of activity in which voluntary and non-official agencies participate.

9.7.18. Certain private industrial and technical institutions in the State, ninety-four in all and managed through Boards of Management, most of which were continuing to get grants-in-aid from the Government through the Directorate of Technical Education, were transferred with effect from June 7, 1969 from Technical Education Department to Social Welfare Department and placed under control of the Directorate of Social Welfare. It was arranged that these institutions, even after transfer to the Directorate of Social Welfare, could continue to be governed by the Grants-in-aid (Technical and Industrial Institutions) Rules, 1949, till the latter were modified or amended by the Social Welfare Department. These institutions include institutions for boys and girls conducting courses in tailoring and other allied crafts; institutions giving technical training other than tailoring and allied crafts, such as leather working, weaving, carpentry, etc., and institutions like schools for deaf, dumb and blind persons, orphanages, etc.

#### OFFICE OF THE DIRECTOR, HARIJAN AND SOCIAL WELFARE, U.P.

9.7.19. The Director has his headquarters at Lucknow. He is assisted by three Deputy Directors, five Assistant Directors including an Assistant Director (Women) and an Assistant Director (Probation)-cum-Chief Probation Officer, a Harijan and Social Welfare Officer (Headquarters), two Probation Officers (Headquarters), two Accounts Officers and a Personal Assistant to the Director. Most of the Programmes of the Harijan Sahayak and the Social Welfare Wings of the Directorate have been mentioned already. Programmes for Harijans include, apart from what have been stated earlier, stipends to Harijan students; remission in and reimbursement of their fees, grant of scholarships in post-matric classes, financial assistance to co-operative societies of Harijans for small industries, assistance for construction of drinking water wells, pumps, work-sites, house construction sites, and other such measures for economic uplift. The Social Welfare Wing is concerned with the implementation of most of following important programmes.

9.7.20. *Social and Moral Hygiene Scheme and Aftercare Programme for Women.* The Social and Moral Hygiene Scheme aims at prevention of prostitution and rescue, reclamation and rehabilitation of unfortunate women who have fallen victim to the evil of prostitution. Aftercare service aims at the rehabilitation into normal life of such individuals after a period of stay in a care institution and deals both with institutional as well as post-institutional care of such individuals. The care institutions may be either "Correctional Institutions"

such as reformatories, approved schools for boys and girls, Rescue Homes and Protection Homes or "Non-correctional Institutions" such as Widows' Homes and Orphanages. There are State After-care Homes for men, State After-care Homes for women and Rescue Homes at various places in the State. Rescued women and girls are first given temporary shelter in a District Shelter-cum-Reception Centre, from where they are transferred to one of the After-care Homes. Training-cum-Production Centres have also been attached to these After-care Homes. Each of the After-care Home, Protective Home and other such institutions under control of the Department are placed locally under the charge of a Superintendent of the respective Home.

9.7.21. *Suppression of Immoral Traffic.* The Suppression of Immoral Traffic in Women and Girls Act is enforced throughout the State. Special police officers have been appointed to deal with the offences under the Act. Two Rescue Officers, one at Dehra Dun and the other at Varanasi, have also been appointed to rescue women and girls from the hands of immoral traffickers.

9.7.22. *Probation Service.* The U.P. First Offenders Probation Act, 1938, the U.P. Borstal Act, 1938, and the U.P. Prisoner's Release on Probation Act, 1938, were enacted with the aim of, in the case of the first Act, preventing first offenders below 24 years of age from being sent to jail, and to keep them under the supervision of a Probation Officer instead of releasing them; the second for institutional treatment of adolescent offenders and the third for the purpose that well behaved prisoners, who had completed one-third of their sentence in jail, could be released on parole. These legislative measures were based on the new concept of criminology. Besides reforming delinquent persons, the scheme also results in cutting down jail population and expenditure. Expenditure incurred on the Probation Scheme in the State over the period of 12 years from 1947 to 1959 worked out to an annual average per probationer to Rs. 141.60 whereas that on treatment of an offender in jail during the same period came to about Rs. 322.66. Thus, there was a saving of Rs. 181.06 per offender per year as a result of releasing him on probation instead of sentencing him for imprisonment. Considering the importance of the Probation Scheme, the Government of India passed the Probation of Offenders' Act, 1958 (Act 20 of 1958) which removes most of the defects of the present State legislation. The scope of the Probation Scheme is bound to enlarge considerably when the Central Act, which has already been enforced in some other States and Union Territories, comes into operation in Uttar Pradesh also.

9.7.23. Studies on juvenile delinquency and its eradication have shown that penal measures taken against such delinquents do them more harm than good. It has been felt all round that the old concepts on juvenile delinquency require fundamental change. With this end in view, the State Government enacted the U.P., Children Act, 1952 making provision for correctional training of juvenile delinquents. The Act provides for social security of children under the

age of 16 years and also provides protection and preventive measures against the moral exploitation of minor girls. Under the Act, delinquent children or those who generally remain absent from schools or homes, can be presented before Special Children's Courts, who have powers to force the guardians of such children to train them better or to send them to any certified school for correctional training. The Act has so far been implemented in eighteen districts of the State. A Child Guidance Clinic also functions at Agra and Varanasi under the charge of trained psychologists for counselling and giving attention to mentally sick and emotionally disturbed children. Observation Homes exist in those districts where the Children Act is in force. Approved schools for delinquents exist at Lucknow, Ghazipur, Moradabad and Varanasi.

9.7.24. Children's Day is celebrated annually on November 14 throughout the State. Suitable grants for organising Baby Shows, distribution of milk, toys, etc., to non-school going children are placed by the Department at the disposal of District Magistrates while schools make their own arrangements for school-going children.

9.7.25. Government provide substantial grants-in-aid to orphanages, widows' homes, and other non-official welfare institutions. Grants to individual persons are also given on compassionate grounds. Apart from the lack of funds, the working of most of the widows' homes and orphanages in Uttar Pradesh has also been otherwise far from satisfactory and the need for adequate State supervision and control over them has been felt for a long time. Under the constant pressure of public opinion, the State Government also became alive to the problems and set up in 1954 a Widows' Home and Orphanages Inquiry Committee to make suitable recommendations for the proper functioning and control of these institutions. On the recommendations of the above Committee, a comprehensive legislation known as the U.P. Women's and Children's Institutions (Control) Act, 1956, was enacted. The Act provides for the compulsory licensing of all such voluntary residential institutions and prescribes minimum institutional standards to be maintained by them. It also aims at the compulsory closure of inefficient institutions of doubtful repute and making alternative arrangements for the maintenance of their inmates. The authority for issuing licences vests in the District Magistrates and appeals against orders of rejection passed by them lie with a non-official Administrative Board at the State level. Rules for the day-to-day running of these institutions, known as the U.P. Women's and Children's Institutions (Control) Rules 1958, have been framed by the Board under the provisions of the Act.

9.7.26. *Welfare Services for the blind, deaf and dumb.* There are two Government Schools for the blind, one at Lucknow and the other at Gorakhpur, where blind children are taught to read and write up to Junior High School standard with the assistance of the Braille system and are given vocational training in music, bamboo screen making, cane work, etc. Similarly there are Government Schools for Deaf and Dumb one each at Bareilly and Agra where

besides training in articulation and lip reading, vocational training in dying, calico printing, etc., is also imparted. There are also other voluntary educational institutions for the blind, deaf and dumb in the districts of Aligarh, Allahabad, Dehradun, Gorakhpur, Jhansi, Kanpur Lucknow, Mainpuri, Meerut, Pilibhit, Saharanpur, Sitapur and Varanasi, which get financial assistance from the Government and grants for award of scholarships to such handicapped students. There is also a training college of teachers of the Deaf at Lucknow, financial assistance to which is given by the Government.

9.7.27. *Beggary and Vagrancy.* There are two Government Work Houses for Beggars, one at Hardwar and the other at Varanasi each with a capacity of 100 inmates. The main aim of the institutions is to maintain, train and rehabilitate helpless and disabled beggars by enabling them to maintain themselves, according to their capacity, through some trade, craft, or other gainful occupation, so that they may earn their own livelihood and regain their lost self-respect and self-confidence. In addition to the above Government institutions, there are a few non-official beggar homes at Allahabad, Hardwar, Kanpur and Lucknow, which receive substantial financial assistance from Government for their general maintenance.

#### FIELD ORGANIZATION

9.7.28. In 1957, the cadre of District Harijan Welfare Officers was created and one such officer was posted in each district of the State. Before this was done, there were seven Regional Harijan Welfare Officers posted at Agra, Allahabad, Meerut, Gorakhpur, Faizabad, Bareilly and Varanasi, directly controlled by the headquarters, who looked after the welfare work in the districts within their jurisdiction. These officers were first under the control of the District Magistrates and the District Planning Officers/A.D.M. (Planning), but with the integration of the Directorates of Harijan Sahayak and Social Welfare in 1961, the work of both the Departments at the district level began to be supervised by the District Harijan and Social Welfare Officer, who is assisted for Harijan Welfare activities by two or three Harijan Welfare supervisors. In Agra, Allahabad, Kanpur, Lucknow and Varanasi districts, there are two such officers, one for the city and the other for the rural area.

9.7.29. Formerly, Women Welfare Schemes were supervised by two Deputy Directors (Women Welfare) and four Technical Assistants at the headquarters. At the district level, work was supervised by a District Organizer. The Planning Department had its own staff for looking after their welfare programme in Development Blocks. In 1960, the work undertaken by the Social Welfare Department and by the Planning Department (later by the Community Development Department) was integrated for proper co-ordination and homogeneity. The posts of Technical Assistants were abolished. The work was looked after by ten Regional Assistant Directors (Women), each posted at Agra, Allahabad, Bareilly, Faizabad, Gorakhpur, Jhansi,

Lucknow, Meerut, Nainital and Varanasi. The posts of District Organizers were abolished but the incumbents were appointed as Assistant Development Officers, Social Education (Women), who carried out welfare work at the Block level under the guidance of Regional Assistant Directors, with the help of *Gram Sevikas*, each in-charge of a Mahila Mangal Centre. Each Gram Sevika was further helped in her work by three to five honorary *Gram Laxmis*. Expenses incurred on running two Mahila Mangal Centres in a Development Block were met from the budget of the Planning Department and on the remaining centres from that of the Social Welfare Department. The programme was, however, reduced towards 1967. The working of the Welfare Extension Projects, run on similar lines by the State Social Welfare Advisory Board, is now looked after by the Project Implementing Committees set up in each district. The Committees utilize the services of paid 'Mukhya Sevika' posted at the district office of each such committee. The projects on the old pattern have since been handed over to the local non-official bodies. The U.P. State Social Welfare Advisory Board is also running ten Welfare Extension Projects in ten Community Development Blocks. These Projects are now being converted into Family and Child Welfare Projects under a phased programme.

9.7.30. Correctional programme which includes the administration of the Probation and the Children's Acts, was introduced initially in 1939 by the U.P. Discharged Prisoners' Aid Society (now known as U.P. Crime Prevention Society) in seven districts of Agra, Aligarh, Allahabad, Bareilly, Kanpur, Lucknow and Meerut. At present the Probation Act is enforced in thirty five districts,<sup>36</sup> under the local charge of a Probation Officer except that in the three districts of Ballia, Gonda and Mathura, these officers are employees of the said Society.

9.7.31. Social Welfare Department also gives grants-in-aid to *Sewa Samitis* which are local social welfare organizations, grants for the cremation and burial of paupers and grants-in-aid to *U.P. Aparadh Nirodhak Samitis*, *Mahila Samaj Sewa League*, etc. There is also a Discretionary Fund at the disposal of Minister in-charge of Social Welfare for giving occasional grants to various social welfare non-official institutions. Some of the programmes which the Department is going to take up during the Fourth Five Year Plan are establishment of two hostels for working women, establishment of creches and *Bal Bari*, establishment of a pilot project for stoppage of the practice of beggary, implementation of the U.P. Children Act in some more districts, establishment of additional Observation Homes and Protective Homes; scholarships to physically handicapped students and grants to such persons for purchase of artificial limbs.

36. Agra, Aligarh, Allahabad, Bareilly, Bara Banki, Bulandshahr, Dehra Dun, Deoria, Etawah, Faizabad, Farrukhabad, Fatehpur, Ghazipur, Gorakhpur, Hamirpur, Hardoi, Jalaun, Jaunpur, Jhansi, Kanpur, Lakhimpur, Lucknow, Meerut, Moradabad, Muzaffarnagar, Pratapgarh, Rampur, Shahjahanpur, Sitapur, Sultanpur, Unnao and Varanasi along with Ballia, Gonda and Mathura.

hearing aids, etc.; establishment of schools for mentally retarded children, as well as aiding voluntary agencies engaged in similar programmes.

9.7.32. The Harijan Sahayak Department run a Polytechnic at Lucknow, known as Govind Ballabh Pant Polytechnic. This institute is specifically meant for Harijans, but with a view to eliminating the feeling of segregation amongst these castes, 15 per cent seats have been allotted for backward castes and the same number for high castes. Similarly, the Department also run three Technical Training Centres at Lucknow, Gorakhpur and Naini Tal which give training in Certificate courses approved by the National Council for Vocational Training and Guidance. *Ashram* type schools have been set up at various places in the State for children of de-notified or *Vimukti Jatis* and non-scheduled tribes, where in addition to free education, children are given free board, lodging, clothing, etc. Two such schools have also been set up for children of recently declared Scheduled Tribes at Kalsi in district Dehra Dun and Joshimath in district Uttarakashi.

9.7.33. Some of the important Committees, Boards and Conferences of the Departments are—

(i) *Standing Committees of the Legislature.* These Standing Committees have been constituted to advise Government on all matters concerning the activities of the Harijan Sahayak and the Social Welfare Departments, with members of both Houses of Legislature as their members, and the Minister-in-charge of Harijan and Social Welfare as Chairman.

(ii) *State Harijan and Backward Classes Welfare Board.* The Board, with the Deputy Chief Minister or the Minister for Social Welfare as Chairman, is the chief consultative body for advising the Government on all aspects of Harijan uplift work and for review from time to time of the progress made. The membership of the Board consists of a few other Ministers, State Ministers and Deputy Ministers; Commissioner for Agricultural Production and Rural Development; Secretary, Harijan Sahayak Department, the Director of Education; the Director of Industries; representatives of the Central Advisory Board for Harijan Affairs who represent the State in the Parliament, a few Scheduled Castes and Backward Classes M.L.As., other Scheduled Castes representatives and persons who are actively associated with Harijan and Backward Classes uplift work and a representative of the Backward Classes Welfare Organization, Government of India, Lucknow, with the Director, Harijan Welfare, U.P., as Secretary. The functions of the Board are to work for the general welfare of Harijans and to advise Government on related matters. It also advises the Government on the implementation of the provisions of the Untouchability (Offences) Act, 1955 in order to secure social justice for Harijans, and on the establishment of suitable machinery for giving effect to numerous welfare schemes, aiming for their educational, social and financial progress.



(iii) *District Samaj Kalyan Committee.* This Committee, with a Chairman and a Deputy Chairman nominated by the Government and consisting of a nominee of the Zila Parishad, Additional District Magistrate (Planning) or District Planning Officer, Members of Parliament or State Legislature representing the Scheduled Castes, Tribes, etc., belonging to the district, nominees of the State Government, District Inspector of Schools and his Deputy, as Members and District Harijan and Samaj Kalyan Officer as Member-Secretary, was constituted in June, 1969 by Harijan Sahayak Department by unification and replacement of the District Harijan Vikas Committee and District Harijan Education Committee. It will look to the implementation of all schemes relating to education, health, economic development, rehabilitation, etc., of the class of people for which it is constituted, except that the schemes relating to agricultural production, will continue to be taken care of by the *Kshettra Samitis*.

(iv) *State Social Welfare Advisory Board.* This Board was set up in 1954 at the instance of the Central Social Welfare Board to assist voluntary effort in strengthening and improving the welfare programmes meant for women and children, juvenile delinquents and the handicapped. The Board consists almost entirely of non-officials and has, among its members, prominent women social workers. The Board co-ordinates the welfare activities with the Central Social Welfare Board on the one hand and local voluntary organizations on the other. It also provides a channel for flow of grants-in-aid for the different welfare extension projects run by it or by the Central Board.

(v) *U.P. Council of Social Welfare.* This Council with the Minister for Social Welfare as Chairman advises Government generally on measures to be adopted for development and promotion of social welfare activities with particular reference to women, children, handicapped and mal-adjusted members of the society. Its members include members of legislature and representatives of Bharat Sewak Samaj; Mahila Sahayak Sangh, U.P., and of the social welfare institutions. To deal with specific aspects of social welfare, it has sub-committees for (1) destitute women and children, (2) beggars and infirm, (3) handicapped children, (4) organization of seva samitis and (5) suppression of immoral traffic.

(vi) *State Co-ordination Committee on Child Welfare.* The programmes relating to child welfare are handled by several departments like Planning, Education, Labour, Medical, Public Health and Social Welfare. This Committee has been set up with the Secretary, Social Welfare Department as Chairman and Deputy Secretary, Social Welfare Department as Member-Secretary with official representatives of the remaining Departments as Members, to co-ordinate the child welfare programmes handled by these departments and to look after the implementation of their programmes.

(vii) *Administrative Board under the U.P. Women's and Children's Institutions (Control) Act, 1956.* This Board, with the Chair-

man to be nominated by the State Government and the Director, Social Welfare, or his nominee as Secretary, along with the members of Legislature (including a woman) and others to be nominated by the Government as its Member, has been set up under Section 5 of the Act to advise the Government on matters concerning the implementation of the Act with regard to the licensing, maintenance and conduct of institutions and to supervise generally, direct and control matters relating to their management.

(viii) *District Advisory Committees for Suppression of Immoral Traffic in Women and Girls.* These are non-official committees of five members set up in each district under the Suppression of Immoral Traffic in Women and Girls Act, 1956, to help the Special Police Officers posted for the purpose and to advise generally on the ways for eradication of the vice of prostitution.

#### Scheduled Castes in Uttar Pradesh

(Note : No person who professes a religion different from the Hindu or Sikh religion is deemed to be a member of a Scheduled Caste in Uttar Pradesh.)

##### (1) Throughout the State :

1. Agariya	23. Boria	44. Khorot
2. Badi	24. Chamar, Dhusia, Jhusia or Jatava	45. Kharwar excluding Benbansi
3. Badhik	25. Chero	46. Khatik
4. Baheliya	26. Dabgar	47. Khairaha
5. Baiga	27. Dhangar	48. Kol
6. Baiswar	28. Dhanuk	49. Korwa
7. Bajaniya	29. Dharkar	50. Lalbegi
8. Bajgi	30. Dhobi	51. Majhwar
9. Balahar	31. Dom	52. Mazhabi
10. Balai	32. Domar	53. Musahar
11. Balmiki	33. Dusadh	54. Nat
12. Bangali	34. Gharami	55. Pankha
13. Banmanus	35. Ghasiya	56. Parahiya
14. Bansphor	36. Gual	57. Pasi or Tarmali
15. Barwar	37. Habura	58. Patari
16. Basor	38. Hari	59. Rawat
17. Bawariya	39. Hela	60. Saharya
18. Beldar	40. Kalabaz	61. Sanaurhiya
19. Beriya	41. Kanjar	62. Sansiya
20. Bhantu	42. Kapariya	63. Shilpkar
21. Bhuiya	43. Karwar	64. Turaina
22. Bhuyiar		

(2) Throughout the State excluding Agra, Meerut and Rohilkhand Divisions : Kori.

(3) In Bundelkhand region and the portion of Mirzapur district south of Keimur Range : Gond.

**Scheduled Tribes in Uttar Pradesh**

1. Bhotia,      2. Buksa,      3. Jaunsari,      4. Raji,      5. Tharu.

**Backward Classes in Uttar Pradesh***Hindus*

- |                         |   |
|-------------------------|---|
| 1. Ahir                 | 20. Kahar   |
| 2. Arakh                | 21. Kewat or Mallah                                 |
| 3. Banjara              | 22. Kisan   |
| 4. Barhai               | 23. Koeri   |
| 5. Bari                 | 24. Kori (in Agra, Meerut and Rohilkhand Division.) |
| 6. Beragi               | 25. Kumhar  |
| 7. Bhar                 | 26. Kurmi   |
| 8. Bhotia               | 27. Lodh  |
| 9. Bhurji or Bharbhunja | 28. Lohar   |
| 10. Bind                | 29. Lonia   |
| 11. Chhippi             | 30. Mali  |
| 12. Darzi               | 31. Manihar   |
| 13. Dhiver              | 32. Murao or Murai                                  |
| 14. Gadariya            | 33. Nai   |
| 15. Gosain              | 34. Naik  |
| 16. Gujar               | 35. Sonar   |
| 17. Halwai              | 36. Tamoli  |
| 18. Jogi                | 37. Teli  |
| 19. Kachchi             |   |

*Muslims*

- |                       |                      |
|-----------------------|----------------------|
| 1. Bhathiyara         | 12. Kunjra or Rayeen |
| 2. Carpenter (Barhai) | 13. Manihar          |
| 3. Chikwa (Qassab)    | 14. Mirasi           |
| 4. Darzi              | 15. Momin (Ansar)    |
| 5. Dhafali            | 16. Muslim Kayastha  |
| 6. Faqir              | 17. Naddaf (Dhunja)  |
| 7. Gaddi              | 18. Naqqal           |
| 8. Hajjam (Nai)       | 19. Nat              |
| 9. Jhoja              | 20. Rangrez          |
| 10. Kasgar            | 21. Sweeper.         |
| 11. Kisan             |                      |

Note : In Kumaon Division Marchchas, Naiks, Giris and Backward Muslims are considered as belonging to Backward Classes.

**Acts, Rules, Regulations, Manuals, etc. relating to Harijan Sahayak and Social Welfare Departments**

Sl. No.	Name of Act, Rule, Regulation, Manual, etc.	Year	Authority under which enacted or framed
1	2	3	4
<i>Harijan Sahayak</i>			
1.	The Untouchability (Offences) Act.	1955	Government of India
2.	(1) The Scheduled Castes & Scheduled Tribes Orders (Amendment) Act.	1956	—do—

1	2	3	4
	(2) The Scheduled Castes & Scheduled Tribes Lists (Modification) Order.	1956	Government of India
3.	The Constitution (Scheduled Tribes) (Uttar Pradesh) Order.	1967	— do —
<i>Social Welfare</i>			
1.	The U.P. First Offenders Probation Act.	1938	State Government
2.	The U.P. Borstal Act.	1938	— do —
3.	The U.P. Prisoners' Release on Probation Act.	1938	— do —
4.	The U.P. Children Act.	1952	— do —
5.	The Suppression of Immoral Traffic in Women and Girls Act.	1956	Government of India
6.	The U.P. Women's and Children's Institution (Control) Act.	1953	State Government
7.	(i) The Religious Endowment Act	1863	Central Government
	(ii) The Religious Endowments (U.P.) (Amendment) Act.	1951	State Government
8.	The Charitable Endowments Act,	1890	— do —
9.	The U.P. Temple Entry (Declaration of Right) Act.	1956	— do —
10.	The U.P. Hindu Public Religious Institutions (Prevention of Dissipation of Properties) (Temporary Power) Act.	1962	— do —
11.	The Religious Trusts Bill, 1960 (Central).		Under consideration
12.	The U.P. Women's and Children's Institutions (Control) Rules.	1958	Section 5 of the Act. State Government
13.	Rules regarding the powers and functions of the Managing Committees for After-Care Homes.	—	State Government
14.	Rules for giving grants to voluntary organizations for social welfare works.	—	— do —
15.	U.P. Prevention of Begging Bill, 1966.		— do —
16.	U.P. First Offenders' Probation Rules.	1939	— do —

## Annual Administration Reports

Sl. No.	Title	Period	By whom compiled
1.	Samaj Kalyan Vibhag Ki Karya Pragati (in Hindi)	April-March	Director of Harijan and Social Welfare.
2.	Uttar Pradesh men Anusuchita		"
3.	Pichhari Tatha Vimukta Jatiyon Ka Kalyan (in Hindi)	April-March	"

## CHAPTER 10

# Departments Dealing with Public Utility Services

### 10.1. PUBLIC WORKS DEPARTMENT

10.1.1. The Public Works Department was established about the year 1844. It was a period when big schemes such as the construction of important highways and roads, erection of large buildings in important centres, construction of Ganga Canal and improvement and repairs to canals constructed earlier, were in hand. As a result a large demand for skilled civil engineers for execution and control of such works arose. An engineering college was, therefore, established on a modest scale in 1847 at Roorkee, which later came to be known as the Thomason College of Civil Engineering and is now the Roorkee University. This College was at that time placed under the administrative charge of this Department.

10.1.2. The systematic functioning of the Department dates back to 1854. The Chief Engineer of the Department also functioned as Secretary to Government. The gradual decentralisation of the financial resources from the Central Government to the provincial field had its effect on the working procedure of the Department too. The policy adopted in 1872 was that initiation of works was mostly in the hands of local bodies. All engineering operations, whether paid from local or State funds, were placed under the control and supervision of the P.W.D. The powers of general control were vested in the Collector for all matters connected with the district including that of the P.W.D. Each Commissioner of Division had an Executive Engineer, who held the charge of the works in his Division and acted as Secretary to the Commissioner in regard to all public works. Steps to reorganize the Department under the new conditions of local responsibilities were, however, taken in 1881. The main features of the changes adopted were that except for works of provincial interest which were to be under the control of the Department, all other works were entrusted to district boards; Public Works Divisions were reorganized and the control of Collectors on the departmental staff was abolished. Its trial for a few years in Rohilkhand Division showed that though it greatly increased work for the Department, it proved very satisfactory otherwise. It was adopted finally in 1887.

The Department too was made permanent about the year 1888. An important event which took place soon afterwards was the transfer of the Thomason College of Civil Engineering, Roorkee in 1894 to the administrative control of Education Department. It was, however, retransferred to Public Works Department of the Secretariat in 1945, but after the college was raised to the status of the Roorkee University it was placed in 1952 under the administrative control of the Power Department which was then dealing with engineering education.<sup>1</sup>

10.1.3. The 'Reforms' introduced through the Government of India Act, 1919, had a significant effect on the Department in making it (but not the Irrigation) a provincial 'transferred' subject and placing it under ministerial control. A Public Works Reorganization Committee was appointed in 1922 to suggest changes which were needed in the Departmental organization to conform to the new constitution. This committee followed mainly the resolution of the Government of India of March 1921, recommending that the immediate aim of Government should be the restriction of the Department to works which could not be done satisfactorily by private firms or local boards, and that the eventual goal should be the retention of the Department merely as a supervising and advising agency. Great reduction in size of the Department was consequently proposed and, though that part of the recommendation could materialize only partially since decentralisation was not given effect to as recommended, the important changes which were made by the Government in 1925-26 were that the roads which formed important links in the chain of provincial communications, known as provincial roads, were retained by the Department; all local roads were entrusted to local bodies; maintenance of all buildings belonging to Central Government was transferred to the departments which occupied them and the departments under the provincial Government could execute minor works up to an amount of Rs. 20,000. Other effects of the 'Reforms' were that since the Buildings and Roads Branch was a 'transferred' subject and the Irrigation Branch was a 'reserved' subject under purely official administration, the joint cadre of superior posts in the two Branches was split. From April, 1924, recruitment to the Indian Service of Engineers, so far as this Department was concerned, was stopped and the Service gradually went in the process of dissolution<sup>2</sup> with corresponding increase in the cadre of the provincial engineering service. The combined post of Secretary to Government-cum-Chief Engineer was also split into two separate posts in May, 1927. The administrative control of the Engineering Branch of the Public Health Department (later known as the Local Self-Government Engineering Department) was also transferred in 1927 from Public Works Department.

1. These matters are now dealt with in Technical Education Department: (Chapter 9.2).

2. No officer of I.S.E. exists now in the Department. The re-constitution of the Indian Service of Engineers for P.W.D. is now afoot. See paragraph 4 of Chapter 3.4 on Classification of Services, etc.



ment to the Municipal Department,<sup>3</sup> who were directly concerned with Municipal Boards for whom that Branch mainly catered.

10.1.4. Although the combined post of Secretary to Government-cum-Chief Engineer was split in two separate posts in 1927, the Secretariat part of the Buildings and Roads Branch continued to be the combined office for the Chief Engineer, Buildings and Roads, up to March, 1931, when it was separated. A similar separation in respect of the Irrigation Branch took place in 1938 on the introduction of Provincial autonomy in 1937. The Secretariat portions of the 'Buildings and Roads' and the 'Irrigation' Branches were then amalgamated in 1938 to form the Public Works Secretariat under a single 'generalist' Secretary to Government. The Buildings and Roads Branch included the organization under the Electrical Inspector to Government and the Irrigation Branch included the Hydro-electric Wing. Later, with the expansion of activities in the department, re-organization of its function and structure was felt necessary. In 1950, work relating to Electricity was separated from the Public Works Department and placed in Power Department under the same Secretary to Government, Public Works Department. The Power Department was the administrative department in respect of the functions of a newly set up Electricity Department under a Chief Engineer. In 1952, the Irrigation Branch was also separated from the Buildings and Roads Branch and each Branch was placed under a separate Secretary to Government,—one for Public Works Department (Buildings and Roads Branch) and the other for Public Works Department (Irrigation Branch). The latter was also Secretary for Power Department. The control of the organization under the Electrical Inspector to Government was also transferred from the Public Works Department (Buildings and Roads Branch) to the Power Department. Two years later, in 1954, the nomenclature of the Departments was also changed. The Public Works Department (Buildings and Roads Branch) was named simply as 'Public Works Department' and the Public Works Department (Irrigation Branch) was named as 'Irrigation Department'. The same year, while the work relating to execution of electrical works in buildings constructed by the Public Works Department was transferred from the Electrical Inspector to Government, Uttar Pradesh, to the Chief Engineer, Public Works Department, the statutory functions of administering electricity laws were only left with the Electrical Inspector to Government under Power Department.<sup>4</sup>

10.1.5. The Department faced a period of slump for some time from 1931. The Rajputana P.W.D. which hitherto was combined with the cadre of the State Department was also transferred to the control of the Central P.W.D. in January, 1933. All this amounted to reduction in strength which was at its ebb in 1939 with the cadres

3. The administrative department for this now is Local Self-Government (B) Department of the Secretariat (Chapter 10.5).

4. For details of this change, see paragraph 5 of Chapter 10.3 on Power Department.

of the Indian Service of Engineers and the U.P. Engineering Service reduced to 12 and 25 respectively. The Second World War, however, gave it a different turn, when the construction of aerodromes and other engineering works required for military needs was entrusted to it. This was followed by large construction works taken up during 1945-46 in connection with post war rehabilitation of demobilized forces and post war road programmes, and after the Independence by the five yearly development plans started in 1952 for construction of new communication links throughout the length and breadth of the State, which included retransfer of numerous roads under the local bodies to the control of the Department for improvement and construction of buildings for other departments of Government.

10.1.6. At the Chief Engineers' conference held at Nagpur in 1943, a Star and Grid Formula was evolved as a basis of road development according to the requirements at that time. This formula envisaged bringing every village within five miles of a main road in a well developed agricultural area and within 20 miles of a main road in an under-developed area. The metalled road mileage in Uttar Pradesh according to that formula should have been 16,553 and this target was expected to be achieved by the end of the Third Five Year Plan. In 1947, the State had 9,387 miles of metalled roads which by 1966, excluding Uttarakhand, had increased to 16,600. Due to political and economic changes which had taken place since the preparation of Nagpur Plan and in view of the pace of agriculture and industrial development envisaged for the country, it was considered necessary that the road system should be expanded to about double of what was provided in the Nagpur Plan. A Twenty-Year Road Development Plan for the whole country was, therefore, drawn up by the Chief Engineers of all States, who met at Bombay in 1958, and a new formula was evolved by them for working out the requirements of different categories of roads for various regions, and according to it Uttar Pradesh, excluding Uttarakhand, should have a metalled mileage of 29,200 miles of roads by 1981. It aims at bringing every village in a developed and agricultural area within four miles of a metalled road and 1.5 miles of any road; in a semi-developed area within eight miles of a metalled road and three miles of any road and in an undeveloped and uncultivable area within 12 miles of a metalled road and five miles of any road. The Department has a programme to reach that target by taking up schemes through various Five-Year Plans. A number of schemes in the border area of Uttarakhand, were also taken up during 1960. Apart from the construction and maintenance of National and Provincial Highways, other link roads and bridges, as also flood control works at various places, in particular at Lucknow, Varanasi, Mathura, Gorakhpur, Bulandshahar, Pilibhit, Saharanpur and Balrampur, some of the special programmes of road construction are taken up through the Central Roads Fund,<sup>5</sup> Lateral Roads Project in Tarai Region (a

5. This Fund has been constituted by the Government of India by crediting to it additional revenue derived from the extra duty of customs and excise

road from Bareilly to Battiah) taken up in 1964 on behalf of the Government of India, pilot project schemes for roads and bridges in the intensive development area of the four eastern districts of the State, projects taken up through Rural Man Power Scheme run by the Community Development Department and cement concrete tracks and painted roads in sugar-mill areas in which sugar mills also contribute partly towards the cost of construction of roads.

10.1.7. The portfolio of the Department is held by the Minister for Public Works. The Secretariat officers comprise of:

Secretary (who is also Secretary, Transport Department)	1
Special Secretary (also for Transport Department)	1
Deputy Secretary	2
Government Estate Officer-cum-Officer on Special Duty in Public Works Department	1
Assistant Secretary	1
Superintendent	6

The Government Estate Office,<sup>6</sup> which was from some time under Secretary to Government, Revenue Department, was re-transferred to Public Works Department in October, 1969. The Secretariat Department has six Sections dealing with subjects broadly as indicated below:

#### *Public Works (A) Department*

Roads, Bridges, Encroachments and Famine Relief Works.

#### *Public Works (B-I) Department*

All matters relating to gazetted establishment under the Chief Engineer, Public Works Department; proposals regarding staff—gazetted and non-gazetted in that organization; U.P. Service of Engineers, constitution of Indian Service of Engineers; co-ordination in regard to the competitive examination for recruitment of Assistant Engineers and allocation of candidates to various engineering departments, U.P. Engineers' Association and U.P. Scientific Workers' Association.

(Continued from previous page)

on motor spirit. After excluding a certain portion of it as the share of the Civil Aviation Department in respect of petrol consumed for aviation purposes, the Government of India apportion 20 per cent of the annual receipts to their own reserve and allocate the balance to the States in proportion to the consumption of petrol in each State, but retain the amount until actually required for expenditure. Money from the Fund can be spent on construction of new roads and bridges and on reconstruction or substantial improvement of existing roads and bridges with the approval of the Government of India. Generally, small and medium sized schemes are financed out of this Fund. The Fund is also used for schemes which are financed on a matched basis. At the beginning of each Plan, the Government of India communicate to the State Government the likely amounts which are expected to be credited to the State Account during the next five years and desire the State Government to draw up schemes to utilize the amounts. Schemes are taken up with the approval of the Government of India and the State Government.

6. For details, see Chapter 11.9 on Government Estate Department.

*Public Works (B-II) Department*

All matters relating to non-gazetted establishment under the Chief Engineer, Public Works Department and in Public Works Department Secretary's Branch; Technical Audit Cells of Public Works Department and Irrigation Department.

*Public Works (C) Department*

Buildings, Inspection Houses, Circuit Houses, Ferries and contractors' claims.

*Public Works (D) Department*

Budget, Work-charged establishment, Railway claims, U.P. Roadside Land Control Act, Annual Administration Report, Indian Roads Congress and Railways.

*Public Works (E) Department*

National High Ways, Tolls on departmental bridges, Inland Water Transport, Lateral Road Project, Plans and Central Roads Fund.

10.1.8. A Technical Audit Cell set up at the headquarters of Government under the charge of a Chief Technical Examiner, who is a senior officer of the rank of Superintending Engineer or above, working directly under the Secretary to Government, Public Works Department, undertakes technical audit of departmental works. Independence of technical audit is ensured by taking officers for the Cell on deputation from the Government of India or other engineering departments. An Accounts Audit Cell under the charge of an Accounts Officer was also set up under the Secretary, Public Works Department, to expedite disposal of audit inspections and to advise divisional officers in accounts, but it was abolished in April, 1968.

10.1.9. The four major engineering departments in the State are the Public Works, Irrigation, Power and Local Self-Government Engineering Departments. Rules relating to the engineering services of these Departments have, however, remained incomplete and imprecise for some considerable time and a need was felt to have uniform set of rules and practices for all these Departments. The State Government appointed a State Engineering Services Rationalization Committee in June, 1966 under the chairmanship of Sri J. D. Shukla, ICS, Member, Board of Revenue, with the Chief Engineer, Local Self-Government Engineering Department as its Secretary to go into all these matters. The Committee submitted its report to Government in May, 1969. Initial direct recruitment to the engineering services through the State Public Service Commission every year and discontinuance of the practice of making *ad hoc* appointments of Assistant Engineer in all these Departments were suggested by the Committee. Other important recommendations of the Committee were: (1) Direct recruitment to permanent posts may be stopped and all direct recruitment including appointment of promoted officers be made against temporary posts only and officers should get chance

for confirmation on their turn; (2) a promotion quota of 25 per cent of future vacancies of Assistant Engineers in the State Engineering Services may be allowed uniformly in all the engineering departments for the members of the Subordinate Engineering Services and Computers; (3) a service of five years in U.P. Service of Engineers may be treated as adequate experience for permanent engineer officers for eligibility for promotion from the post of Assistant Engineer to the post of Executive Engineer; (4) the promotion from the post of Assistant Engineer to the post of Executive Engineer may be made on the principle of seniority subject to the rejection of the unfit; (5) all selection for promotion and confirmation at every level should be made by suitable Departmental Selection Committee and this Committee may make these selections regularly every year; (6) greatest importance should be attached to the first selection;—in other words, when selecting an officer for officiation, the intention should be to select him as if for a permanent post so that at the time of confirmation he would normally be confirmed unless there is anything against him which would justify withholding of his confirmation; (7) among officers of the same rank the officers selected and promoted earlier be senior to the officers selected and promoted later, but the seniority of officers selected at one time may be the same as in the lower rank; (8) the field of eligibility for selection to the post of Superintending Engineer be the permanent Executive Engineers having not less than 15 years service in the U.P. Service of Engineers; (9) the selection of Executive Engineers to the post of Superintending Engineer be continued to be made strictly on the basis of merit; (10) promotion from the post of Superintending Engineer to higher posts be made strictly on merit; and (11) for selecting the head of an engineering department, fullest consideration and weight may be given to the sum total of the nature and extent of experience of the officers and adequacy of that experience in relation to the technical and administrative need of the department.<sup>7</sup>

#### OFFICE OF THE CHIEF ENGINEER, P.W.D.

10.1.10. The Chief Engineer, with headquarters at Lucknow, is the administrative and professional head of the Department and is responsible to the Government for its efficient working. He is assisted at the headquarters by an Additional Chief Engineer (Border), who is in-charge of border area schemes of Uttarakhand and Lateral Road Project; a Deputy Chief Engineer (Roads) and a Deputy Chief Engineer (Building and Border), who exercise general supervision on field works and also control over the working of the headquarters office and attached units; one Superintending Engineer (Planning) assisted by an Executive Engineer (Planning) and two Assistant Engineers (Planning), who supervise the work relating to preparation and execution of Five Year Road Plans, related statistics,

7. These recommendations were under consideration of the Government when the book was in the press.

progress of works, etc. A post of Engineer-in-Chief was also created in the Department with effect from November 2, 1964 and his duties and functions were to control and co-ordinate the activities of the Chief Engineer and the two Additional Chief Engineers at that time. He was directly in-charge of Lateral Road Project, Tarai Road Project, intensive development of eastern districts and engineering research and its application. That post was, however, abolished with effect from July 8, 1967. One Senior Architect, three Architects and four Assistant Architects are entrusted with the preparation of plans and architectural treatment of important building schemes. One Senior Accounts Officer of the U.P. Finance and Accounts Service designated as Personal Assistant (Accounts) and assisted by one Accounts Officer, assists and advises the Chief Engineer in budget and accounts matters. A Special Land Officer of the Uttar Pradesh Civil Service is there to help in expediting acquisition of land for construction of buildings and roads. Nine technical Personal Assistants to the Chief Engineer and one Personal Assistant (Office) from the ministerial cadre look after the work as detailed below:—

1. *Personal Assistant (Establishment)*

General establishment matters.

2. *Two Personal Assistants (Communication)*

(i) All work relating to construction and maintenance of roads, bridges and ferries.

(ii) All work relating to National and State Highways, flood control and toll collection.

3. *Personal Assistant (Community Projects)-cum- Assistant Development Commissioner (Works).*

All work relating to community projects, Divisional clerical and class IV establishment, non-gazetted drawing establishment, non-gazetted electrical and mechanical and research staff, store-keepers and work-charged establishment.

4. *Personal Assistant (Border)*

All matters relating to construction of buildings, roads and bridges in Uttarakhand.

5. *Personal Assistant (Buildings)*

All work relating to construction and maintenance of buildings of Government departments.

6. *Personal Assistant (R & R)-cum-Assistant Commissioner, Relief and Rehabilitation Department.*

All building works of Relief and Rehabilitation Department and also work relating to construction and maintenance of buildings of Government departments.



7. *Personal Assistant (L.R.P.)*

All work relating to execution of Lateral Road Project.

8. *Personal Assistant (Miscellaneous—Technical)*

Arrangement of coal, cement, steel for civil works; theft and losses thereof, railway claims, all matters relating to contractors (not relating to any work), Technical Audit Cell (not relating to any work), inspection reports and other miscellaneous items.

9. *Personal Assistant (Office)*

Matters relating to clerical establishment of Chief Engineer's Office and offices of Superintending Engineers.

The work in the headquarters office is distributed into various sections. The Technical Section of the office under an Assistant Engineer (Technical) caters to the needs of all officers and sections in the matter of technical scrutiny of estimates for works. An Executive Engineer (Training) at the headquarters looks after the training of newly recruited Assistant Engineers, overseers and clerks in office procedure, accounts matters and rules and regulations of the Department. The other staff at the headquarters is an Assistant Engineer (Statistics), an Assistant Engineer (Border), an Assistant Engineer (Lateral Road Project) and an Assistant Engineer (Rural Man Power).<sup>s</sup>

10.1.11. *Public Works Department Research Institute, Lucknow.* It is under the charge of a Director of the rank of Superintending Engineer, who is assisted by two officers of the rank of Executive Engineer, designated as Deputy Director (Research) and Deputy Director (Field), and by a Deputy Director (Soil). The other staff consists of six Assistant Research Officers and six Assistant Engineers. Established in 1947, it keeps abreast with modern engineering techniques and developments, initiates research and conducts experiments on soils, bitumen, cement and other engineering materials. The Institute is carrying on work for development of economic and durable specifications for adoption in the field in the execution of various works. Besides economy, its aim is also to make the best use of locally available resources of raw material and to construct more durable structures. The techniques evolved from time to time are employed in the execution of works. The activities of the Institute, broadly relate to testing of materials to determine their suitability and strength for construction works, finding solutions for various engineering problems referred to it, such as site investigations for design for foundations of buildings and bridges, causes of failures

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8. For Rural Man Power Scheme, see paragraph 12 of Chapter 8.2 on Department for Agricultural Production and Rural Development and Community Development Department. The works relating to Rural Man Power Scheme have now been merged with the normal work of Public Works Department.

of road pavements, study of developments in engineering science and assess their suitability for adoption in the State after carrying out necessary investigations and field trials through pilot projects and issue technical bulletins and specifications for the guidance of field engineers. A Test House for carrying out tests on construction materials also started functioning from November 1, 1966. This Test House also takes outside work on payment of scheduled charges.

10.1.12. Some of the important units of the Department are the following:—

(1) *Bridge Designs Unit.* This unit under a Superintending Engineer (Bridges) at Lucknow has five Bridge Designs Divisions for survey, planning and preparation of detailed designs of major bridges in the State and their estimates.

(2) *Building Designs and Road Survey Unit.* This unit under a Superintending Engineer (Building Designs and Road Survey) at Lucknow has numerous Divisions for road survey work and for building designs. The Survey Divisions deal with Road Survey and Soil Survey. The yardstick for Road Survey for a Division during a year is about 300 miles of road. Minor bridges and culverts are classified as part of road survey and their designs and estimates are prepared by the staff employed on road survey. The Soil Survey work consists of (a) initial investigation of soils, collection of soil samples and their testing, compilation of test results, etc., and (b) designing soil-sand, soil-cement or soil-lime mix for stabilization. The five Building Design Divisions deal mostly with standard designs for buildings and preparation of their estimates.

(3) *Departmental Construction Units.* Bridge construction in the Public Works Department was being done lately through the agency of contractors, and as it is a specialized job involving huge investment and requiring special technical skills, not many contractors were available to take up the works; and a few builders, who offered themselves to undertake the jobs, quoted exorbitant rates. As the Department had a big bridge construction programme, it was considered necessary, in order to economise on cost, to have Departmental Construction Units for construction of bridges through the departmental agency. The first such unit was set up on an experimental basis in January, 1966. Since then three more such Units have been set up. The Superintending Engineer (Bridges) also supervises the work of the Departmental Construction Units for bridges under him. Some buildings are also being constructed now by a Departmental Construction Unit (Buildings) at Lucknow, which was set up in June, 1968 on the lines of those set up for construction of bridges.

## REGIONAL AND FIELD OFFICES

10.1.13. The administrative unit of the Department is a Circle under the charge of a Superintending Engineer, who is responsible to

the Chief Engineer for administrative and general professional control of works within the Circle. He is to ensure efficient and proper functioning of the Divisions under him and for seeing that all orders regarding execution of works and maintenance of accounts are properly carried out. Superintending Engineers are expected to spend as much time on tour and inspection of Divisional and Sub-Divisional Offices as necessary for effective supervision and efficient disposal of work. It is the duty of the Superintending Engineer to examine estimates of all the projects which are submitted through him to Chief Engineer,—particularly as to the suitability of design and reasonableness of rates; to co-ordinate work between various Divisions in the Circle and to act as a liaison between the Department and other civil and military departments.

10.1.14. The executive unit of the Department is a Division under the charge of an Executive Engineer who is responsible to the Superintending Engineer for proper execution and maintenance of all works in the Division. There are also some non-executive Divisions for survey, research, specific design jobs, *etc.*, such as Bridge Designs and Survey Divisions, Buildings and Road Survey Divisions, Building Design Divisions, *etc.*, each under an Executive Engineer. The Divisions in the Department are usually named as Provincial Division, Construction Division, Temporary Division; Bridge Construction, Roads Survey or Buildings Divisions, *etc.* Provincial Divisions, which look to the construction of roads and buildings and their maintenance, are all permanent Divisions. Some of the Construction Divisions for buildings, bridges, *etc.*, and some of the Bridge Designs, Survey and Research Divisions are also permanent. The remaining Divisions created for specific works are usually temporary and the works which are carried out through them are normally handed over on completion to other Divisions for maintenance. An executive Division is normally created on a construction-*cum*-maintenance work load of Rs. 45 lakhs. The Executive Engineer acts as disbursing officer and is responsible for the proper maintenance of accounts and records. He is *ex-officio* adviser to all departments of Government and local bodies within his jurisdiction and acts as professional adviser to the Divisional Commissioner in municipal matters referred to him. An Accountant is posted from the office of the Accountant General, U.P., Allahabad in each Divisional office to assist and advise the Executive Engineer in matters concerning accounts. He is also responsible for auditing of vouchers to ensure that all financial proprieties are observed before payments. A list of Circle and Divisions of the Department is given at the end of this Chapter. Four or more Assistant Engineers—according to volume of work, are posted in a Division and are responsible for execution of works or specific design jobs entrusted to them under the guidance of Executive Engineer. Some of the Assistant Engineers not posted at divisional headquarters are delegated disbursing powers for works under them in the interest of expediency. They are known as Sub-Divisional Officers and are responsible for the proper maintenance of their accounts. Those

Sub-Divisional Officers who are posted at district headquarters are known as District Engineers. In Departmental Construction Units, the officers corresponding to an Executive Engineer and Assistant Engineers of an executive Division are known respectively as Superintendent of Works and Resident Engineers. Electrical and Mechanical Divisions have corresponding officers with Electrical and Mechanical qualifications and look after the machinery needed for construction of roads and buildings and other Tools and Plants of the Department and undertake electrical installations in buildings constructed by the Department. Assistant Engineers are assisted by overseers in the execution and supervision of works and for taking measurements of works as have been executed. Workmen are engaged temporarily, as and when necessary, and their pay is directly debited to the cost of work. In 1961, some of the work-charged employees were taken on the regular establishment. In 1968, Government had issued orders to take all such work-charged employees of 41 categories on the regular establishment, as were engaged for maintenance work and had three years' completed service.

10.1.15. Some of the important committees of the Department are:

1. *Indian Roads Congress*. It is a technical organization subsidised by Central and State Governments. The Chief Engineer, Public Works Department, is one of the *ex-officio* members of its executive committee. General sessions of the Congress are held once in a year and meetings of the Technical Sub-Committee from time to time during a year. This organization provides for exchange of technical opinions and know-how and ensures that the communication system in whole of the country is developed on an uniform pattern.

2. *Standing Committee of Legislature for Public Works Department*. This Committee consists of the Minister for Public Works as its Chairman and a few members of the Legislature as its members. Its function is to make a general review of the working of the Department, its achievements and difficulties and to give suggestions regarding its working.

3. *Divisional Public Works Advisory Committees*. These Committees with regional heads of various departments meet every sixth month or so at the headquarters of Commissioners of Divisions, where matters relating to works of those departments are discussed.

4. *District Public Works Advisory Committees*. These Committees consist of members of State Legislature, Parliament and Rajya Sabha belonging to a district and the Executive Engineer in whose jurisdiction that district falls. The District Engineer or Assistant Engineer posted in the district is its *ex-officio* Secretary. The Committees meet from time to time to review the progress of work in their districts and to make suggestions regarding them.

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## Acts, Rules, Regulations and Manuals relating to Public Works Department

<i>Sl. No.</i>	<i>Name of Act, Rule, etc.</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<i>Acts</i>			
1.	Northern India Ferries Act	1878	Government of India.
2.	U. P. Roadside Land Control Act	1945	State Government.
3.	National Highways Act	1956	Government of India.
<i>Rules, Regulations and Manuals</i>			
4.	Manual of Orders, Buildings and Roads Branch. Vols. 1 and 2	1937	State Government.
5.	Detailed Specifications Section (A) —Buildings Section (B) —Roads	—	Chief Engineer, Public Works Department.
6.	Maintenance Manual	—	Do.
7.	Well Foundations for Roads and Bridges	1960	State Government.
8.	Hand Book of Decisions on Service Conditions of Work-charged Employees	1959	Chief Engineer, Public Works Department.
9.	Circulars on Buildings and Roads	1959	Do.
10.	Indian Road Congress Code for Bridges	—	Indian Road Congress.
<i>Reports</i>			
11.	P. W. D. Works Committee Report	1952	State Government.
12.	P. W. D. Rates Committee Report	1953	Do.
13.	P. W. D. Reorganization Committee Report	1957	Do.

## Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Administration Report of U.P. Public Works Department.	April-March	1861	Chief Engineer, Public Works Department.

## List of Circles and Divisions in the Public Works Department

(As on March 31, 1969)

### I Circle, P. W., Meerut.

1.	Meerut Provincial Division	Meerut
2.	Meerut Construction Division	Meerut
3.	Muzaffarnagar Provincial Division	Muzaffarnagar
4.	Dehra Dun Provincial Division	Dehra Dun
5.	Saharanpur Provincial Division	Saharanpur
6.	Bulandshahr Provincial Division	Bulandshahr.

*II Circle, P. W., Agra*

- |                                    |           |
|------------------------------------|-----------|
| 1. Aligarh Provincial Division     | Aligarh   |
| 2. Agra Provincial Division        | Agra      |
| 3. Agra Construction Division      | Agra      |
| 4. Mathura Temporary Division      | Mathura   |
| 5. Mainpuri Provincial Division    | Mainpuri  |
| 6. Farrukhabad Provincial Division | Fatehgarh |

*III Circle, P. W., Bareilly*

- |                                  |           |
|----------------------------------|-----------|
| 1. Bareilly Provincial Division  | Bareilly  |
| 2. Bareilly Temporary Division   | Bareilly  |
| 3. Naini Tal Provincial Division | Naini Tal |
| 4. Almora Provincial Division    | Almora    |
| 5. Pilibhit Provincial Division  | Pilibhit  |

*IV Circle, P. W., Lucknow*

- |   |                 |
|---|-----------------|
| 1. Sitapur Provincial Division                                  | Sitapur         |
| 2. Lucknow Construction Division                                | Lucknow         |
| 3. Kheri Provincial Division                                    | Lakhimpur Kheri |
| 4. Rae Bareli Provincial Division                               | Rae Bareli      |
| 5. Lucknow Temporary Departmental Construction Unit (Buildings) | Lucknow         |
| 6. Gonda Provincial Division                                    | Gonda           |
| 7. Bahraich Provincial Division                                 | Bahraich        |

*V Circle, P. W., Allahabad*

- |                                    |           |
|------------------------------------|-----------|
| 1. Allahabad Provincial Division   | Allahabad |
| 2. Allahabad Construction Division | Allahabad |
| 3. Mirzapur Provincial Division    | Mirzapur  |
| 4. Ghazipur Temporary Division     | Ghazipur  |
| 5. Varanasi Provincial Division    | Varanasi  |
| 6. Varanasi Construction Division  | Varanasi  |

*VI Circle, P. W., Gorakhpur*

- |                                    |           |
|------------------------------------|-----------|
| 1. Gorakhpur Construction Division | Gorakhpur |
| 2. Gorakhpur Provincial Division   | Gorakhpur |
| 3. Deoria Temporary Division       | Deoria    |
| 4. Basti Temporary Division        | Basti     |
| 5. Ballia Provincial Division      | Ballia    |
| 6. Azamgarh Provincial Division    | Azamgarh  |

*VII Circle, P. W., (Planning)*

At the headquarters of the Chief Engineer at Lucknow with an Executive Engineer and two Assistant Engineers.

*VIII Circle, P.W. (Bridges), Lucknow*

- |                                       |         |
|---------------------------------------|---------|
| 1. Bridge Design Division, I          | Lucknow |
| 2. Bridge Design Division, II         | Lucknow |
| 3. Bridge Design Division, III        | Lucknow |
| 4. Bridge Design Division, VIII       | Lucknow |
| 5. Bridge Design Division, IX         | Lucknow |
| 6. Departmental Construction Unit, I  | Lucknow |
| 7. Departmental Construction Unit, II | Lucknow |



*IX Circle, P. W., Kanpur*

- |                                 |        |
|---------------------------------|--------|
| 1. Kanpur Provincial Division   | Kanpur |
| 2. Kanpur Construction Division | Kanpur |
| 3. Banda Provincial Division    | Banda  |
| 4. Jhansi Provincial Division   | Jhansi |
| 5. Orai Construction Division   | Orai   |

*X Circle, P. W., Building Designs and Survey, Lucknow.*

- |   |          |
|---|----------|
| 1. Faizabad Buildings & Roads Survey Division | Faizabad |
| 2. Rampur Buildings & Roads Survey Division   | Rampur   |
| 3. Lucknow Building Design Division, I        | Lucknow  |
| 4. Lucknow Building Design Division, II       | Lucknow  |
| 5. Lucknow Building Design Division, III      | Lucknow  |
| 6. Lucknow Building Design Division, IV       | Lucknow  |
| 7. Lucknow Building Design Division, V        | Lucknow  |

*XII Circle, Border Works, Pithoragarh*

- |  |             |
|--|-------------|
| 1. Pithoragarh Provincial Division             | Pithoragarh |
| 2. Pithoragarh Border Works Temporary Division | Pithoragarh |
| 3. Didihat Border Works Temporary Division     | Didihat     |
| 4. Gopeshwar Provincial Division               | Gopeshwar   |

*XIII Circle, Border Works, Uttarkashi*

- |  |             |
|--|-------------|
| 1. Uttarkashi Provincial Division              | Uttarkashi  |
| 2. Rudraprayag Border Works Temporary Division | Rudraprayag |
| 3. Bhatwari Border Works Temporary Division    | Bhatwari    |

*XIV Circle, P. W., Moradabad*

- |                                  |           |
|----------------------------------|-----------|
| 1. Moradabad Provincial Division | Moradabad |
| 2. Bijnor Provincial Division    | Bijnor    |
| 3. Tehri Provincial Division     | Tehri     |
| 4. Garhwal Provincial Division   | Pauri     |
| 5. Rampur Provincial Division    | Rampur    |

*XV Circle, P. W., Lucknow*

- |  |          |
|--|----------|
| 1. Lucknow Provincial Division             | Lucknow  |
| 2. Lucknow Maintenance Division            | Lucknow  |
| 3. Faizabad Departmental Construction Unit | Faizabad |
| 4. Faizabad Provincial Division            | Faizabad |
| 5. Etawah Construction Division            | Etawah   |

*XVI E/M Circle, P. W., Lucknow*

- |  |          |
|--|----------|
| 1. Meerut Electrical and Mechanical Division<br>(For I and II Circles and Etawah<br>Construction Division) | Meerut   |
| 2. Temporary E/M Division,<br>(For III and XIV Circles)  | Bareilly |
| 3. Lucknow E/M Division<br>(For IV, VIII and XV Circles except<br>Etawah Construction Division)            | Lucknow  |

- |  |           |
|--|-----------|
| 4. Temporary E/M Division<br>(For V, VI and IX Circles and Orai Construction Division) | Allahabad |
| 5. Lucknow Temporary E/M Division, II  | Lucknow   |
| 6. Temporary Border Works Electrical and Mechanical Division                           | Lucknow   |

*XVIII (Bridges) Circle, P. W., Lucknow*

- |   |                      |
|---|----------------------|
| 1. Lucknow Bridge (Survey) Design Division, IV                      | Lucknow              |
| 2. Lucknow Bridge (Survey) Design Division, VII                     | Lucknow              |
| 3. Bahraich L.R.P. Temporary Bridge Construction Division           | Bahraich             |
| 4. Bahraich L.R.P. Temporary Road Construction Division             | Bahraich             |
| 5. Bahraich L.R.P. Temporary E/M Division                           | Bahraich             |
| 6. Gorakhpur L.R.P. Temporary Road and Bridge Construction Division | Gorakhpur            |
| 7. Balrampur L.R.P. Temporary Road Construction Division            | Balrampur<br>(Gonda) |

*XXI Circle, P. W., Lucknow*

- |   |          |
|---|----------|
| 1. Kheri L.R.P. Temporary Ghagra Guide Bund Construction Division | Kheri    |
| 2. Bareilly L.R.P. Temporary Road Construction Division           | Bareilly |
| 3. Kheri L.R.P. Temporary Road Construction Division              | Kheri    |
| 4. Lucknow Soil and Material Survey Temporary Division            | Lucknow  |
| 5. Lucknow Temporary Electrical and Mechanical Division, I        | Lucknow  |

*Research Organization, U.P., P.W., Lucknow  
(Under a Director)*

- |  |         |
|--|---------|
| 1. Deputy Director (Research)                | Lucknow |
| 2. Deputy Director (Field)                   | Lucknow |
| 3. Deputy Director (Soil)                    | Lucknow |
| 4. Lucknow Building and Road Survey Division | Lucknow |
| 5. Lucknow Temporary Division, II            | Lucknow |

*Notes :* (1) A new Circle, viz. XX Circle, P.W., Varanasi was proposed to be re-established, when the book was in the press, with Provincial Divisions at Varanasi, Ballia and Azamgarh; Construction Division at Varanasi and Temporary Division at Ghazipur, after re-grouping of these Divisions from other Circles, and other adjustments.

(2) The numbers prefixed to the names of Circles are usually not disturbed when any other Circle or Circles are abolished at any time. The numbers mentioned above are, therefore, not in proper sequence.

## 10.2. IRRIGATION DEPARTMENT

10.2.1. The activities of the Irrigation Department in this State date as far back as the year 1823 when the first Irrigation Office was opened at Saharanpur for the remodelling of the old Moghul Canal on the left bank of the Yamuna River. The canal was put into commission under the name of Eastern Yamuna Canal in the year 1830. Subsequently, construction of the Ganga Canal was taken up in the year 1840 and it was ready in the year 1854. These two major works were constructed by the East India Company administration and were executed by army engineers under the superintendence of a Board constituted for the purpose. The benefits from irrigation works were soon realized and good revenues were earned on the invested capital. These works were, therefore, followed by the commissioning of the Agra Canal in the year 1874 and the Lower Ganga Canal in 1878.

10.2.2. The unprecedented famine of 1879, which took a heavy toll of life in Bundelkhand, gave a new turn to the activities of the Department. State resources were found altogether inadequate to control its devastating effects. A Famine Commission was set up in the year 1880 to find out ways and means to stop recurrence of such calamities. The Commission strongly recommended provision of adequate irrigation facilities so as to cover 40 per cent of the cultivated area of the State. Accordingly, a beginning was made with the Betwa Canal opened in 1885 to irrigate in Jalaun and Hamirpur districts. The project was executed under the direction of the Central Public Works Department by the Chief Engineer, Irrigation Branch of the then provincial P.W.D., who was also Secretary to the Government. The Second Famine Commission of 1903 also reiterated the necessity of having cultivated area covered by irrigation facilities to the same extent as recommended earlier. The Provision of these facilities in the southern part of the State was, therefore, continued with the opening of Ken Canal in Banda district in 1907, Dhasan Canal in Hamirpur district in 1910 and Garai and Ghaghar Canals in Mirzapur district in the years 1915 and 1916. On the recommendation of the Second Famine Commission, a project for providing irrigation facilities to the central part of the State by the Sarda Canal system emanating from Sarda river near Banbasa in district Naini Tal adjacent to the Indo-Nepal border to the north of Pilibhit was prepared. For some time, the project became a subject of great controversy between the Government and the *taluqdars* of Avadh through whose estates the canal system was proposed to pass. But the construction of the Canal was taken in hand in 1919. The work was entrusted to a Chief Engineer-cum-Joint Secretary to Government and three Superintending Engineers, each heading a Circle, and was opened for irrigation in 1928. Besides the fact that the Department yielded a substantial revenue to Government, its greatest utility had begun to be felt by then by the general peasantry in the protection that its works afforded against famine. The Department

at that time consisted of six Circles with two permanent Chief Engineers. Superior officers manning the Department belonged to the Indian Service of Engineers controlled by the Secretary of State for India in England. The recruitment to this Service for the erstwhile Province was stopped after 1930 in pursuance of the recommendations of the Lee Commission set up in 1920. In the following years engineer officers were recruited in the U.P. Service of Engineers."

10.2.3. The utilization of falls on the Upper Ganga Canal for generation of power, which had been visualised much earlier was started in the year 1913, when a pilot power station was constructed at Bahadradab (near Hardwar) to help in the construction of the permanent head-works for the Canal at Hardwar. Of the thirteen falls in its first 180 miles course, nine were harnessed for production of electric energy between the years 1928 and 1940, seven power stations out of which were inter-connected along with two steam power stations at Chandausi and Harduaganj in the Ganga Grid. The availability of cheap electric power also opened up way for construction of tubewells, which commenced in 1930 in Meerut district and was extended to other western districts covered by the Ganga Grid. This also included the system of pumped canals which utilized hydro-electric power. The Steam Power Station at Sohawal in district Faizabad was set up in 1939 mainly to supply electric power for the pumped canal from the river Ghaghra for the eastern Uttar Pradesh. A separate Hydro-electric wing, commonly known as "Hydel", was set up in the Department for the purpose under a separate Chief Engineer assisted by two Superintending Engineers, one for Hydro-electric power generation and transmission and other for construction of tube-wells and pumped canals.

10.2.4. The activities of the Irrigation Department were accelerated after the second World War in 1945, when considerable emphasis was laid on the execution of Grow More Food schemes and investigation of new power projects for agricultural and industrial development of the State. The important irrigation and power projects taken up for investigation were Nayar and Ramganga Dams in Garhwal district, Yamuna Scheme in Dehra Dun, Rihand Dam in Mirzapur, Matatila Dam in Jhansi and several other schemes of smaller magnitude scattered all over the State. Work on the construction of Mohammadpur Power House on the Ganga Canal near Roorkee, Khatima Power House on the Sarda Canal near Pilibhit, Yamuna Hydro-electric Scheme near Dehradun and Rohin and Danda Canals in Gorakhpur district, which had been investigated earlier also, commenced in the post-war period, with the addition of a third post of Chief Engineer (Development) in 1946-47. The benefits of State irrigation works were, however, confined mainly to the western, southern and central parts of the State where the sale of water yielded

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9. The re-constitution of Indian Service of Engineers for Irrigation Department is afoot. See also paragraph 4 of Sub-Chapter 2.4 of Chapter 3 on Personnel Administration.

a substantially good return on the capital investment made by Government. This purely commercial policy underwent a radical change after Independence, when the Government expanded the activities of the Department for welfare of peasantry and overall development of the country by liberally investing capital in irrigation projects without rigid adherence to the financial returns.

10.2.5. The necessity for research on irrigation works was felt as early as in 1932 but the need for properly organized research came to the fore in 1946, since there were increasing problems of design and construction of high dams, barrages, power houses and other works in the post-war period. The organization was, therefore, expanded in 1949 into an Institute at Roorkee under the charge of a Director of the rank of Superintending Engineer. The same year a separate Food Production Organization was created to look after the construction of urgent Grow More Food schemes in Bundelkhand and central regions of the State, under the charge of a fourth Chief Engineer, Food Production, with two Superintending Engineers under him. This organization worked independently of the Irrigation Department till 1952 when it was merged into it. The Hydel Wing of the Irrigation Department was, however, separated in 1950 to form a new Electricity Department of the State under the charge of a Chief Engineer.

10.2.6. The Irrigation Department was also entrusted in 1954 with flood protection works, which had assumed considerable importance and high priority due to devastation caused by floods. Important works completed in this sphere of activity were construction of marginal embankments, flood shelters, raising of villages above high flood level and protection of cities and towns like Varanasi, Allahabad, Ayodhya, Rajapur, Ballia, Azamgarh, Gorakhpur and Badri Nath by construction of spurs and pitching the banks of rivers.

10.2.7. There used to be an Agricultural Engineering Section under the Agriculture Department of the State Government for helping cultivators in boring the tubewells and construction of open wells for irrigation purposes, tractorization of land to make it cultivable, and also manufacturing and repairing agricultural tools, pumping sets, tractors, etc. Government felt that the work of Agricultural Engineering Section could be better handled in the Irrigation Department instead of in the Agriculture Department. Consequently, the Agricultural Engineering Section with its workshops at Jhansi, Bareilly and Meerut was merged into the Irrigation Department in the year 1952. Later in 1955, the Government Workshop at Roorkee, which operated under the Industries Department of the State Government, was also transferred to the Irrigation Department. These Workshops now function under the control of a Superintending Engineer, Irrigation Workshops Circle, Kanpur. The Director of Industries, U.P. has standing instructions that indents for manufacture of heavy parts of machines, bridges, pontoons, barges and other miscellaneous engineering jobs should be referred to the Superintending Engineer at Kanpur.

10.2.8. The Rihand Dam Construction Circle which was opened in 1948 and which had to be closed in 1951 due to paucity of funds, was reopened in 1955. Civil works of the Rihand Dam Hydro-electric Project costing about Rs. 28 crores were completed by the end of 1961.

10.2.9. At the conclusion of the Second Five Year Plan in 1961, a careful assessment of the working of the Department *vis-a-vis* the Plan schemes was undertaken with a view to ensuring a greater measure of efficiency in the execution of future schemes. The study revealed that the following measures were called for in connection with the implementation of further programmes which required the Irrigation Department to carry out works to the tune of Rs. 120 crores (including the Civil Works of the Hydro-Electric and Thermal Power Projects in the State costing about Rs. 40 crores):

- (i) Setting up of a Central Design Directorate with headquarters at Lucknow.
- (ii) Setting up of a Central Organization for co-ordination in procurement of store and equipment required for major works with headquarters at Lucknow.
- (iii) Creation of a post of Chief Project Engineer for each major project.
- (iv) Creation of a post of Engineer-in-Chief in the Irrigation Department for River Valley Projects in the State and for dealing with major problems of the Department.
- (v) Creation of a post of Liaison Officer at New Delhi in connection with releases of foreign exchange and import licences essentially required for projects.
- (vi) Improvements in the system of recruitment and training of engineering personnel and also their service conditions through steps such as increasing pay scales, restoring All-India Service of Engineers and increasing the permanent cadre.

10.2.10. With a view to investigating into and reporting on the problems of irrigation development in Uttar Pradesh, Government constituted with effect from September 1, 1966 an Irrigation Commission for Uttar Pradesh with headquarters at Lucknow under the Chairmanship of Sri Phool Singh, M.L.A., with a Superintending Engineer as a whole-time Secretary of the Commission.<sup>10</sup> The Commission was, however, dissolved soon afterwards in May, 1967.

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10. The terms of reference of the Commission, broadly, were to assess the water resources of the State and to examine the potentiality of irrigation by different means, to consider and formulate, as far as may be possible, a specific plan of action for carrying out various types of irrigation works for an adequate and assured irrigation facility, as also for development of hydro-electric power, to examine ways and means of obtaining optimum benefit to the cultivator from available supply of water, to consider the problems of water-logging and drainage, policy relating to supply of water from Government irriga-



10.2.11. The waters of the big rivers in the State, like the Ganga, Yamuna and Sarda, have been mostly diverted into gravity canals by construction of weirs and barrages. The completion of Gandak project and construction of the barrage at Balmikinagar will also provide ample irrigation facilities through the net work of the Gandak Canal System in the districts of Gorakhpur and Deoria. Another mighty river,—the Ghaghra, is also being tapped for irrigation needs and its canal system will cover vast areas in the eastern part of the State. Even though the irrigation potential of all these works increased from 75 lakh acres in pre-Plan period to 127.7 lakh acres<sup>11</sup> in July, 1969, the demand for irrigation water has been increasing at a rapid rate due to introduction of high yielding varieties and cultivation of new areas. The eastern parts of the State are, however, at the tail end of the Sarda canal and lower Ganga canal systems and have chronic shortage of water, while the regions in Bundelkhand have limited irrigation resources due to lesser non-monsoon discharges in the rivers. The irrigation canals in Bundelkhand are fed mostly by small storage dams and reservoirs and thus are dependent on rain fall every year. With a view to providing additional irrigation facilities and increasing agricultural production, a separate organization for looking after the construction and operation of all State tube-wells under a Director of Tube-wells was set up in the mean time with effect from July 31, 1965; and as already dealt with in Chapter 8.2, though the Directorate is under the administrative control of Irrigation Department, the Director functions under the operational control of the Commissioner, Agricultural Production and Rural Development, U.P. The existing sources of irrigation, including the tube-wells, were however, found inadequate to serve the vast areas of the eastern districts

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*(Continued from previous page)*

tion works for other than irrigation purposes such as industrial undertakings and local bodies for domestic water supply, etc., water rates including compulsory irrigation cess, or other levy to ensure full utilisation of irrigation potential; simplification of procedures as well as other problems of irrigation management; to examine the financial return of existing irrigation works and to suggest ways and means for reducing the losses being incurred at present on the basis of direct return from these works; to suggest a policy for deciding whether a work, which is required to provide irrigation facility needed by the cultivators but which is not directly remunerative on the basis of the irrigation rates charged at present, should be constructed or not; to recommend the means for ensuring an adequate financial return from the various types of irrigation works, and in this connection to consider whether, to what extent and in what manner the State could recover from the cultivators a suitable share of the substantial increase in the value of land as a result of provision of assured irrigation facility by the State with a view to reducing the burden of the cost of unremunerative irrigation works on those people of the State who cannot derive any benefit from such works; and to consider generally all matters relating to economic development and general prosperity in the State in relation to means of irrigation.

11. Speech of the Finance Minister, Uttar Pradesh, on the Budget for 1969-70, delivered in the Legislative Assembly on July 21, 1969, p. 8. It was aimed to increase the irrigated acreage to 180 lakhs by the end of Fourth Plan.

and the Bundelkhand region, when they were in the grip of severe drought in 1966 and subsequent years—the worst hit being Mirzapur, Allahabad, Banda, Ghazipur, Varanasi and Azamgarh. Fortunately, perennial supplies were available in the big rivers flowing in these areas, but these had to be lifted by pumps in order to irrigate the areas adjacent to the banks of those rivers and streams. It was with this idea that lift irrigation schemes were taken up in October, 1966, as an emergency measure to fight the unprecedented drought conditions. Though a small number of pump canals were operating for quite sometime through fixed electrical pumping stations, the State Government started operating over a thousand 5-10 H.P. diesel pumping sets for lifting water from lakes and rivers in the drought-affected districts to help the hard hit farmers. Subsequently, some of these small sets and a few larger sets were used, and because of the very short time in which such canals could be put into operation and the small capital cost—Rs. 200 per irrigated acre against Rs. 500 or more required for providing similar irrigation by conventional sources—it was decided to divert substantial resources for construction of lift canals. A Directorate of Lift Irrigation was created in February, 1968, within the Irrigation Department and separate staff was provided in the field for investigation and construction of such works. The scheme was greatly welcomed by cultivators as it provided them with immediate relief at a very low cost. The popularity of these canals and the persistent demand of the cultivators for more such canals encouraged the Government to take up more schemes later and it is proposed to tap more than 50 per cent of the perennial flow in the rivers and streams in the eastern parts of the State through these canals during the Fourth Plan. In order to reduce the period of construction of lift schemes and economise on capital expenditure, diesel pumps, which are costlier to maintain, were replaced by electric pumps, wherever possible, and a more permanent shape was given to the schemes by construction of small canal systems. Later, the electrical pumps, motors, and other ancillary equipment for these schemes were mounted on floating barges on the river banks, with flexible delivery pipe connections providing for the variation in the level of river during different parts of the year. The great advantage of such stations is that they do away with the need for very costly conventional type of fixed and intricate pumping stations requiring a long time in their construction and river-training works associated with them. The construction of these floating pumping stations is completed within a working season, i.e., within about eight months only, (smaller diesel schemes take about two to three months and electrical schemes take about four to six months) and the low cost of the scheme can be judged from the fact that the capital cost of providing intensive irrigation from this improved system near about a river works out even to less than Rs. 150 per acre. The whole scheme is planned to provide, within the State's limited resources, irrigation facilities through new channels or through existing branches of canals (which owing to shortage of water have been found occasionally to be uncertain sources of irrigation) according to the needs

of the farmer for the present day agriculture, involving multiple cropping and high yielding varieties of crops, thus making available intensive year-round irrigation to thousands of acres of cultivable land. Some important lift-irrigation schemes taken up initially were the Sakhaura Pump Canal from river Ganga in Mirzapur town; Dalmau Pumped Canal scheme on the river Ganga in Rae Bareilly district, Bhopauli Pumped Canal scheme on the river Ganga in Varanasi district; Zamania Pumped Canal scheme on Ganga in Ghazipur district and the Tons Pumped Canal schemes on the river Tons in Allahabad district. More such schemes in the eastern parts of the State and Bundelkhand region are contemplated, as resources permit.

10.2.12. The main functions of the Irrigation Department, in short, are to deal with the matters relating to:

- (a) Utilization of water resources of the State for the purpose of irrigation by means of canals, tube-wells, dams, bundhies, etc.
- (b) Utilisation of water resources of the State for power development.
- (c) Flood control in rivers, improvement of drainages, removal of water logging and training of rivers for protection of towns.
- (d) Assessment of irrigation revenue and collection of miscellaneous revenue accruing from canals.

10.2.13. The Irrigation Branch of the Public Works Department was, as has been mentioned already, initially under the administrative charge of a Chief Engineer who was also Secretary to Government. The 'Reforms' introduced through the Government of India Act, 1919, had no effect whatsoever on this Branch and "Irrigation" continued to be a 'reserved' subject under purely official administration of the Finance Member of the Governor's Executive Council, until the position was changed materially by provincial autonomy under the Government of India Act, 1935 when the set-up of the Branch underwent a change and the functions of the Chief Engineer as head of department were separated from those of the Secretary to Government. This resulted in formation of a "Public Works Secretariat" in 1938 by amalgamating the 'Buildings and Roads' and the 'Irrigation' Branches under a common non-technical Secretary to Government. In 1954, the nomenclature of the Branch was changed—the Buildings and Roads Branch was named as Public Works Department and the Irrigation Branch was named as Irrigation Department; the Hydro-electric Wing having been separated earlier in 1950 to form the Power Department at the Secretariat level and Electricity Department at the level of Chief Engineer.<sup>12</sup>

10.2.14. The portfolio of the Department is held by the Minis-

12. For a detailed account, see paragraph 4 of Chapter 10.1 on Public Works Department.

ter for Irrigation and Power. The Secretariat staff comprises of:

Secretary, Irrigation and Power Departments	1
Joint Secretary, Irrigation and Power	1
Deputy Secretary, Irrigation	1
Assistant Secretary	2
Superintendent	4

For State Tube-wells, Irrigation Department at the Secretariat continues to be the administrative department, but the Commissioner and Secretary, Agricultural Production and Rural Development is, as mentioned earlier in Chapter 8.2, in overall charge and for that purpose Secretary and Joint Secretary, Irrigation and Power Departments also function as Special Secretary and Joint Secretary respectively in the Agricultural Production and Rural Development Department..

10.2.15. The Secretariat Department has four Sections, each dealing with subjects given below:

*Irrigation (A) Department:* It deals primarily with the establishment matters of gazetted staff of the Department, change of headquarters and reorganization of Circles and Divisions and financial irregularities.

*Irrigation (B) Department:* It is primarily a Works Section dealing with irrigation schemes, famine control programmes, irrigation rates and betterment levy on land benefitted by irrigation works.

*Irrigation (C) Department:* It is also mainly a Works Section dealing with tube-wells, flood control measures, drainage improvement schemes and departmental workshops.

*Irrigation (D) Department:* It deals with establishment matters of subordinate gazetted and non-gazetted staff of the Department, work relating to the Irrigation Research Institute, Roorkee and research schemes, etc.

10.2.16. *Technical Audit Cell for Irrigation Department at the Secretariat.* This Cell was set up in September, 1964 on the pattern of a similar cell in the Public Works Department, for securing good quality in works, economy in expenditure and ensuring better technical and financial control on works in the Department. The Cell is manned by a Chief Technical Examiner of the rank of Superintending Engineer and assisted by two Technical Examiners and two Assistant Technical Examiners of the rank of Executive Engineer and Assistant Engineer respectively.

## HEADQUARTERS ORGANIZATION

10.2.17. The Chief Engineer, Irrigation Department, is the administrative and professional head of the Department and is responsi-

ble to the Government for its efficient working. He shares his duties with three Additional Chief Engineers,<sup>13</sup>—one designated as Addl. C.E. (Ganga), the second as Addl. C.E. (Sarda) and the third as Addl. C.E. (Investigation and Planning).<sup>14</sup> In view of the magnitude of development work, a post of Engineer-in-Chief for the Department was created in March, 1961 for dealing with multi-purpose projects and civil works of 'Hydel' and thermal Power projects. He exercised supervision over the gazetted establishment of the Department and advised in framing broad policies and in solving intricate technical problems. The post of Engineer-in-Chief was, however, abolished in September, 1966. The headquarters of the Chief Engineer and Additional Chief Engineers are at Lucknow and they have a common office. They are assisted in their work by nine Personal Assistants of the rank of Executive Engineer and one Personal Assistant drawn from ministerial establishment—three designated as P.A. (Establishment), and one each as Personal Assistant (West), Personal Assistant (East), Personal Assistant (Sarda), Personal Assistant (Floods), Personal Assistant (Planning), Personal Assistant (Budget) and Personal Assistant (Ministerial), the latter to look after miscellaneous matters and work relating to cash transactions of the headquarters office. There is also a Senior Accounts Officer and a Special Land Acquisition Officer. The work in the headquarters office is distributed into various sections—dealing with Works, Establishment, Accounts, Budgets, Land Acquisition, Planning and Community Projects, etc. Special arrangements are sometimes made in the office of the Board of Revenue, Uttar Pradesh, for acquisition of land for major projects, as in the case of Gandak Project.

10.2.18. Considering the importance of minor irrigation works in increasing the agricultural production in the State, the Government created with effect from July 31, 1965, a post of Director of Tube-wells for looking after the construction and operation of all State Tube-wells, as were formerly looked after by the Chief Engineer, Irrigation. The Director of Tube-wells, who is of the rank of a Superintending Engineer, functions under the control of the Commissioner for Agricultural Production and Rural Development. In all matters connected with tube-wells, the Director exercises powers of a Chief Engineer. A Personal Assistant of the rank of Executive Engineer assists him in his work at the headquarters office, which continues to form part of the office of the Chief Engineer, Irrigation. A Directorate of Lift Irrigation was also similarly created on February 6, 1968 with a Director of the rank of a Superintending Engineer with powers of a

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13. Another temporary post of Additional Chief Engineer for Sarda Sahayak Project was created in November, 1969. Its headquarters was at Lucknow in the beginning, but it was to be shifted to Sarda Nagar (site of Sarda Barrage) from October, 1970.

14. It was also arranged in November, 1969, that the headquarters of one of the Additional Chief Engineers looking after, *inter alia*, the Gandak Project [Additional Chief Engineer, (I. & P.) at that time] should be shifted from Lucknow to Gorakhpur.

Chief Engineer, who has the help at his headquarters office of an Executive Engineer. The work of Lift Irrigation is distributed amongst three operational Circle offices.

10.2.19. The headquarters organization also includes the following:—

- (i) The Central Design Directorate, set up during 1960-61 at Lucknow, for carrying out the designs of highly complicated irrigation and power projects. The Director of the organization is of the rank of Superintending Engineer. He is assisted by three other Superintending Engineers; one Executive Engineer, Co-ordinating and Checking Division, and 24 other officers of the rank of Executive Engineer along with about 100 Assistant Engineers.
- (ii) The Central Equipment and Stores Purchase Organization at Lucknow set up in the year 1962 under a Superintending Engineer who is assisted by two Executive Engineers and a few Assistant Engineers.

10.2.20. Chief Project Engineers of the rank of Additional Chief Engineer, one each for Yamuna Valley Development Project and Ramganga River Project with headquarters at Dehra Dun and Kalagarh (District Bijnor) (formerly at Moradabad) respectively were posted in 1962, with administrative, technical and financial powers of Chief Engineer for speedy work, with one Personal Assistant each of the rank of Executive Engineer to assist them in their work. They correspond direct with the Government and have separate offices. There is also a Director of Construction of the rank of a Superintending Engineer, a Financial Adviser and a Senior Accounts Officer for the Ramganga River Project at Kalagarh. An Irrigation Research Institute functions under a Director, at Roorkee, who is under the over-all charge of Additional Chief Engineer (Yamuna).

## REGIONAL OFFICES AND FIELD ORGANIZATION

10.2.21. The administrative unit of the Department is a Circle under the charge of a Superintending Engineer, who is responsible to the Chief Engineer for administration and general professional control of Irrigation works within his Circle. The work of planning and investigation of future irrigation and multipurpose projects is done by Investigation and Planning Circles. Each Circle is divided into four or five Divisions, each under the charge of an Executive Engineer, known as Divisional Officer, who is responsible to the Superintending Engineer for execution and management of all works within his Division. The Executive Engineer is also responsible for assessment of water rates and for sending demand statements to Collectors of districts for realization of irrigation charges. In this work, he is assisted by a Deputy Revenue Officer whose main duties are framing



of *Osrabandi*,<sup>15</sup> checking of irrigation measurements, supervision of revenue assessment and trying court cases under the Northern India Canal and Drainage Act for which he is vested with magisterial power to impose fine not exceeding Rs. 50 or imprisonment not exceeding one month, or both, in each case for breach of rules under the Act.

10.2.22. Maintenance and construction Divisions are divided into Sub-divisions, each in charge of an Assistant Engineer, known also as a Sub-divisional Officer, who is responsible to the Executive Engineer for management and execution of works in his Sub-division. In maintenance Divisions, he also looks after general supervision of irrigation and revenue work in his Sub-division. The Sub-divisions are divided into sections each in charge of an Overseer in Civil Sub-divisions. For revenue work, a Division is divided into a number of *Ziledaris*, the boundaries of which usually coincide with those of Sub-divisions. Each *Ziledari* is under the charge of a *Ziledar* who is under control of the Deputy Revenue Officer in revenue matters and under a Sub-divisional Officer for distribution of water and other matters and is assisted by *Amins* and *Patrols*.

### CONTROL BOARDS AND COMMITTEES

10.2.23. Control Boards are set up by the Government from time to time to cut out avoidable delays in routine procedures whenever major projects are taken up in hand. Rihand Dam Control Board consisting of various members representing the Union Ministries of Irrigation and Power and Finance, Central Water and Power Commission, Planning Commission and State Finance and Irrigation and Power Departments was set up in 1954. The Chief Minister of the State was its Chairman. The Board was empowered to finally dispose of all matters relating to Rihand Project requiring orders of the Government. A Superintending Engineer of the Irrigation Department was Secretary of the Board who was also designated as *ex-officio* Joint Secretary to Government in the Irrigation and Power Departments. The Board was, however, abolished early in 1963, when all the works connected with the Rihand Dam had nearly been completed. The existing Boards are—

(i) *Ramganga Control Board*. This Board was set up in May, 1962. The organization and functions of the Board are almost similar to those of the Rihand Dam Control Board. The Chairman of the Board is the Chief Minister of the State, with a whole-time Secretary of the rank of a Superintending Engineer with headquarters at Lucknow.

(ii) *Gandak Control Board*. Gandak Canal Project is a joint project being executed by the States of Bihar and Uttar Pradesh. It was taken up in the Third Five Year Plan. The headworks consisting of a barrage lie in Nepal, but the Western Gandak Canal after running for about 12 miles in Nepal territory passes through Uttar Pradesh for another 69 miles, before it enters Bihar for irrigation of land

15. For details about *Osrabandi*, see foot-note no. 6 on p. 293.

in that State. The cost of the works to be constructed by Uttar Pradesh Government is approximately Rs. 54 crores. As the major part of the project, including the barrage in the Nepal territory, is to be constructed by the Bihar Government, this Control Board has been set up by the Government of India under the Chairmanship of the Governor of Bihar. While the Board has the usual members from the Government of India, this State is represented on it by the Minister of Irrigation; Secretary, Irrigation and Power; Chief Engineer, Irrigation Department; Commissioner for Agricultural Production and Rural Development and Secretary, Finance Department.

(iii) *State Flood Control Board.* The State Flood Control Board was constituted by the State on September 11, 1954, for tackling the emergent situation created by the disastrous floods of 1954 and to deal with questions of policy in connection with flood control works. The Control Board is composed of the Chief Minister as its Chairman and several members representing various concerned departments of the State Government including the Deputy Minister for Irrigation and Chief Engineer, Ganga Basin, of the Union Ministry of Irrigation and Power. An Executive Engineer of the Irrigation Department acts as Secretary of the Board who is also designated as *ex-officio* Deputy Secretary to Government in the Irrigation Department. The State Flood Control Board is assisted by a Technical Sub-Committee which consists of all the Chief Engineers of the Irrigation Department; Chief Engineer, Public Works Department, and a representative each of the Central Water and Power Commission and the Railways Ministry. All flood control schemes proposed to be executed are examined and approved by this Technical Sub-Committee, before they are put up to the State Board for final sanction.

10.2.24. There is a Standing Committee of the Legislature for looking into the needs for irrigation facilities and other matters connected therewith in the interest of cultivators, such as short supply of water, construction of bridges over drains and channels, removal of water-logging, *etc.* The Committee is required to meet twice a year under the Chairmanship of Minister for Irrigation.

10.2.25. Regular meetings and conferences are also held to discuss matters concerning supplies of water from canals and tube-wells to cultivators and other connected problems in which the officers of the Irrigation, Community Development and Agriculture Departments meet at the zonal, district and Block levels. For speedy implementation of Plan schemes, conferences of Superintending Engineers are called at Lucknow once or twice a year to discuss policies and programmes of departmental works. For proper utilization of available irrigation facilities, an *Irrigation Advisory Committee* was constituted in each district in June, 1961 under the chairmanship of the District Magistrate with the Adhyaksh, Zila Parishad; all M.L.As, M.L.Cs and M.Ps of the district; Sub-divisional Officers, District Planning Officer, District Agriculture Officer and engineer officers of Irrigation Department as members, and with one of the Executive Engineers or Assistant Engineers as its Secretary. The main functions of the Com-

mittee are to review the progress of Plan projects, to consider people's problems and difficulties relating to irrigation, to scrutinize all new proposals of drainage, to deal with complaints in respect of existing drainage channels, to consider all matters relating to the proper functioning of *osrabandis*, to ensure maximum utilisation of the departmental resources on occasions of floods and water-logging, and to evolve and enforce appropriate crop patterns in irrigated areas with a view to giving a fillip to Grow-More Food schemes.

## ACTS, MANUALS AND RULES

### I—Acts

1. *Northern India Canal and Drainage Act, 1873.* This Central Act and the Rules made there-under provide for the regulation of irrigation, navigation and drainage in the State for public purposes. They deal with the procedure for construction and maintenance of works, canal navigation, drainage and supply of water and rates therefor. While additional irrigation potential was being created gradually with the completion of the Five Year Plans, it was experienced that the potential, so created, was not being utilised by cultivators fully. One of the reasons for this lag in utilisation of potential was the reluctance of cultivators to construct water-courses for conveying water from the State irrigation works to their fields. Construction of these water-courses was the responsibility of the cultivators and not of the State Irrigation Department. As the main Act had no provision under which cultivators could be forced or persuaded to take up their construction in time, the Government took powers under the Northern India Canal and Drainage (U.P. Amendment) Act, 1963, to undertake construction of water courses on behalf of cultivators on failure of the *Gaon Sabhas* to do so themselves and to recover the cost from the beneficiaries in instalments.

2. *The U.P. Minor Irrigation Works Act, 1920.* This State Act provides for the construction, improvement and maintenance of irrigation works on a smaller scale than that contemplated by the provisions of the Northern India Canal and Drainage Act, 1873.

3. *State Tubewells Act, 1936.* This State Act provides for the construction, improvement and maintenance of State tube-well irrigation works.

### II—Manuals and other publications

1. Irrigation Manual of Orders.
2. Manual of Professional Orders.
3. Instructions on Repairs.
4. Instructions on Accounts.
5. U.P. Irrigation Department Detailed Specifications (1954).
6. *Rahnumai Abpashi.*

## Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Irrigation Administration Report of U.P.	April-March	1898	Chief Engineer, Irrigation.

## CIRCLES AND DIVISIONS IN IRRIGATION DEPARTMENT

(As on June 1, 1969)

## A. Regular Irrigation Circles (both for maintenance and construction works).

*I. First Circle, Irrigation Works, Meerut*

1. Northern Division, Ganga Canal, Roorkee.
2. Upper Division, Eastern Yamuna Canal, Saharanpur.
3. Lower Division, Eastern Yamuna Canal, Muzaffarnagar.
4. Meerut Division, Ganga Canal, Meerut.

*II. Second Circle, Irrigation Works, Kanpur*

1. Kanpur Division, Lower Ganga Canal, Kanpur.
2. Fatehpur Division, Lower Ganga Canal, Fatehpur.
3. Etawah Division, Lower Ganga Canal, Etawah.
4. Bhognipur Division, Lower Ganga Canal, Etawah.

*III. Third Circle, Irrigation Works, Agra*

1. Upper Division, Agra Canal, Mathura.
2. Lower Division, Agra Canal, Agra.
3. Maat Branch Division, Ganga Canal, Mathura.

*IV. Fourth Circle, Irrigation Works, Jhansi*

1. Jhansi Division, Betwa Canal, Jhansi.
2. Betwa Canal Division, Orai.
3. Saprar Division, Jhansi.
4. Matatila Dam Division, Jhansi.
5. Jamni Dam Division, Lalitpur, Jhansi.

*V. Fifth Circle, Irrigation Works, Bareilly*

1. Rohilkhand Canals Division, Bareilly.
2. Afzalgarh Irrigation Division, Moradabad.
3. Head-works Division, Sarda Canal, Bareilly.
4. Civil Construction Division, Bareilly.
5. Baigul Reservoir Division, Bareilly.

*VI. Sixth Circle, Irrigation Works, Lucknow*

1. Sitapur Division, Sarda Canal, Sitapur.
2. Lucknow Division, Sarda Canal, Lucknow.
3. Barabanki Division, Sarda Canal, Barabanki.
4. Shahjahanpur Division, Sarda Canal, Shahjahanpur.
5. Irrigation Division, Sultanpur.

*VII. Seventh Circle, Irrigation Works, Rae Bareli*

1. Unnao Division, Sarda Canal, Unnao.
2. Rae Bareli Division, Sarda Canal, Rae Bareli.
3. Irrigation Division, Pratapgarh.
4. Irrigation Division, Jaunpur.
5. Hardoi Division, Sarda Canal, Hardoi.

*VIII. Eighth Circle, Irrigation Works, Lucknow (With two Superintending Engineers)*

1. Sarda Sahayak Yojna Division, Sitapur.
2. Sarda Sahayak Yojna Division, Bahraich.

**B. Irrigation Works Circles mainly for construction works.***I. Irrigation Works Circle, Allahabad*

1. Ken Canal Division, Banda.
2. Belan Canal Division, Allahabad.
3. Sirsi Dam Division, Mirzapur.
4. Irrigation Division, Banda.
5. Irrigation Division, Mahoba.

*II. Irrigation Works Circle, Faizabad*

1. Tubewell Division, Faizabad.
2. Irrigation Division, Faizabad.
3. Irrigation Division, Gonda.
4. Tubewell Division, Bahraich.
5. Tubewell Division, Lucknow.

*III. Irrigation Works Circle, Gorakhpur*

1. Irrigation Division, First, Deoria.
2. Irrigation Division, Second, Deoria.
3. Tubewell Division, Gorakhpur.
4. Tubewell Division, Basti.
5. Tubewell Division, Azamgarh.

*IV. Irrigation Works Circle, Varanasi*

1. Chandraprabha Division, Varanasi.
2. Musakhand Dam Division, Varanasi.

3. Irrigation Division, Ballia.
4. Mirzapur Canals Division, Mirzapur.

*V. Irrigation Works Circle, Aligarh*

1. Narora Division, Ganga Canal, Aligarh.
2. Re-modelling Division, Lower Ganga Canal, Etah.
3. Aligarh Division, Ganga Canal, Aligarh.
4. Bulandshahr Division, Ganga Canal, Bulandshahr.

*VI. Irrigation Works Circle, Naini Tal*

1. Garhwal Irrigation Division, Lansdowne.
2. Kumaun Irrigation Division, Almora.
3. Tarai Irrigation Division, Naini Tal.
4. Irrigation Division, Uttar Kashi.
5. Rampur Canals Division, Rampur.

**C. Irrigation Workshops.**

*Irrigation Workshop Circle, Kanpur*

1. Irrigation Workshop, Bareilly.
2. Irrigation Workshop, Roorkee.
3. Irrigation Workshop, Jhansi.
4. Irrigation Workshop, Meerut.
5. Executive Engineer (Designs), Kanpur.

**D. Investigation and Planning Circles.**

*I—Investigation and Planning Circle, Lucknow*

1. Investigation and Planning Division, Allahabad.
2. Project and Planning Division, First, Lucknow.
3. Project and Planning Division, Second, Lucknow.
4. Survey and Investigation Division, Lucknow.

*II—Investigation and Planning Circle, Dehra Dun*

1. Investigation and Planning Division, Dehra Dun (with two Executive Engineers).
2. Investigation and Planning Division, Second, Dehra Dun.
3. Kishau Dam Planning Division, Dehra Dun.

**E. Central Equipment and Stores Procurement Organization, Lucknow.**

Central Equipment and Stores Procurement Organization, Irrigation Department, Lucknow, under a Superintending Engineer with two Executive Engineers.

**F. Central Design Directorate, Lucknow (under a Director).**

*I—Superintending Engineer (Designs I)*



*II—Superintending Engineer (Designs II)**III—Superintending Engineer (Designs III)*

1. Earth Dam Design Unit I.
2. Earth Dam Design Unit II.
3. Steel Structure and Mechanical Equipment Design Unit I.
4. Steel Structure and Mechanical Equipment Design Unit II.
5. Steel Structure and Mechanical Equipment Design Unit III.
6. Power House Design Unit I.
7. Power House Design Unit II.
8. Power House Design Unit III.
9. Canal Works Design Unit I.
10. Canal Works Design Unit II.
11. Canal Works Design Unit III.
12. Canal Works Design Unit IV.
13. Co-ordinating and Checking Division.
14. Miscellaneous Design and Standardization Unit.
15. Spill-ways and Outlet Works Design Unit.
16. Major Spill-ways Design Unit.
17. Tunnel Design Unit.
18. Hydraulogy and Sedimentation Design Unit.
19. Power Project Co-ordinating and Checking Unit.
20. Masonry Dam and Barrage Design Unit.
21. Pressure Shaft Design Unit.
22. Concrete Dam Design Unit.
23. Architectural Design Unit.
24. Major Project Co-ordinating and Checking Unit.
25. Safety of Earthen Dam Unit.

*G. Ramganga Project, Kalagarh.**I.—Works Circle, Kalagarh*

1. Ramganga Dam Division, First, Kalagarh.
2. Ramganga Dam Division, Second, Kalagarh.
3. Ramganga Dam Division, Third, Kalagarh.
4. Personnel Division, Kalagarh.
5. Equipment Division, V, Kalagarh.

*II—Workshop Circle, Kalagarh*

1. Equipment Division, I, Kalagarh.
2. Procurement Division II, Kalagarh.

*III—Dam Circle, Kalagarh*

1. Equipment Division III, Kalagarh.

2. Equipment Division III, (Additional), Kalagarh.
3. Equipment Division, IV, Kalagarh.

*IV—Plant Design Circle, Kalagarh*

Saddle Dam Division, I, Kalagarh.

*V—Inspection and Control Circle, Kalagarh*

Camp Management Division, Kalagarh.

*VI—Stores Circle, Kalagarh*

1. Central Stores Division I, Kalagarh.
2. Central Stores Division II, Kalagarh.
3. Central Stores Division III, Kalagarh.
4. Administrative Unit, Kalagarh.

*VII—Feeder Channel Construction Circle, First, Moradabad*

1. Feeder Channel Construction Division, I, Moradabad.
2. Feeder Channel Construction Division, II, Moradabad.
3. Feeder Channel Construction Division, III, Amroha, Moradabad.
4. Earth Moving Improvement Division, Moradabad.

*VIII—Feeder Channel Construction Circle, Second, Moradabad*

1. Ramganga Barrage Division, I, Harroli.
2. Ramganga Barrage Division, II, Dhampur.
3. Kho Barrage Division, Dhampur.

*IX—Ramganga Channel Construction Circle, Kanpur*

1. Ramganga Channel Construction Division, I, Kanpur.
2. Ramganga Channel Construction Division, II, Kanpur.
3. Ramganga Channel Construction Division, Manipuri.
4. Mainpuri Division, Lower Ganga Canal, Mainpuri.

**H. Gandak Project, Gorakhpur.**

*I—Gandak Canal Construction Circle, First, Gorakhpur*

1. Attached Executive Engineer, Gandak Canal Circle, First, Gorakhpur.
2. Naraini Branch Construction Division, Gorakhpur.
3. Madhubani Branch Construction Division, Gorakhpur.
4. Gandak Canal Construction Division, Fourth, Gorakhpur.
5. Gandak Canal Construction Division, Ninth, Gorakhpur.

*II—Gandak Canal Construction Circle, Second, Gorakhpur*

1. Khajuria Branch Construction Division, Deoria.
2. Gandak Canal Construction Division, Second, Deoria.

3. Gandak Canal Construction Division, Third, Gorakhpur.
4. Chaf Branch Construction Division, Deoria.
5. Attached Executive Engineer, Gandak Canal Circle, Second, Gorakhpur.

*III—Gandak Canal Construction Circle, Third, Gorakhpur*

1. Gandak Canal Construction Division, Fifth, Deoria.
2. Gandak Canal Construction Division, Sixth, Deoria.
3. Gandak Canal Construction Division, Seventh, Gorakhpur.
4. Gandak Canal Construction Division, Eighth, Gorakhpur.

*IV—Gandak Canal Construction Circle, Fourth, Gorakhpur*

1. Gandak Canal Construction Division, First, Deoria.
2. Gandak Canal Construction Division, Tenth, Gorakhpur.
3. Gandak Canal Construction Division, Eleventh, Gorakhpur.
4. Gandak Canal Construction Division, Twelfth, Deoria.

**I. Yamuna Project, Dehra Dun.**

*I—Yamuna Civil Construction Circle, Dehra Dun*

1. Attached Executive Engineer, Yamuna Civil Construction Circle, Dehra Dun.
2. Yamuna Construction Division I, Dehra Dun.
3. Yamuna Construction Division II, Dehra Dun.
4. Test and Control Division, Dak Pathar.
5. Mechanical Equipment and Stores Division, Dehra Dun.
6. Yamuna Construction Division III, Dehra Dun.

*II—Tons Civil Construction Circle, First, Dehra Dun*

1. Attached Executive Engineer, Tons Civil Construction Circle, First, Dehra Dun.
2. Koti Colony and Communication Division, Dak Pathar, Dehra Dun.
3. Tunnel and Power House Division, I, Dak Pathar, Dehra Dun.
4. Attached Executive Engineer, Tunnel and Power House Division, I, Dak Pathar, Dehra Dun.

*III—Tons Civil Construction Circle, Second, Dehra Dun*

1. Attached Executive Engineer, Tons Civil Construction Circle, Second, Dehra Dun.
2. Tunnel and Power House Division II, Dehra Dun.
3. Attached Executive Engineer, Tunnel and Power House Division, II, Dehra Dun.

4. Dakpathar Colony and Communication Division, Dehra Dun.

#### J. Irrigation Research.

##### *Irrigation Research Institute, Roorkee*

1. Hydraulics Division I, Roorkee.
2. Hydraulics Division II, Roorkee.
3. Hydraulics Division III, Roorkee.
4. Soils (Material and Testing) Division, Roorkee.
5. Ground Water Division, Roorkee.
6. Administrative Division, Roorkee.
7. Basic Research Division, Roorkee.

#### K. Obra Dam Project and Rihand Dam, Mirzapur District.<sup>16</sup>

##### *Obra Dam Construction Circle, Obra, Mirzapur*

1. Executive Engineer attached to Superintending Engineer.
2. Obra Dam Construction Division I, Obra.
3. Additional Executive Engineer, Obra Dam Construction Division, I, Obra.
4. Obra Test and Research Division, Obra.
5. Rihand Dam Civil Division, Pipri, Mirzapur.
6. Obra Thermal Construction Division, III, Obra.

#### L. Tubewell Circles.

##### *I—Tubewell Circle, Varanasi*

1. Tubewell Division, Jaunpur.
2. Tubewell Construction Division, Varanasi.
3. Tubewell Division, Varanasi.
4. Tubewell Division, Ballia.
5. Rigs Division, Varanasi.
6. Tubewell Division, Allahabad.

##### *II—Tubewell Circle, Meerut*

1. Tubewell Division (East), Bulandshahr.
2. Tubewell Division, Bijnor.
3. Tubewell Division, Meerut.
4. Tubewell Division, Muzaffarnagar.
5. Tubewell Construction Division, Saharanpur.

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16. As Rihand Dam was completed and Obra Dam was nearing completion, most of the Circles and Divisions set up earlier, were being closed gradually. Many such Divisions, e.g., other Obra Dam Construction Divisions, many of the Obra Thermal Construction Divisions, Rihand Dam Civil Divisions, now with skeleton staff under Sub-divisional Officers, have not been included here.

*III—Tubewell Circle, Aligarh*

1. Tubewell Division (West), Bulandshahr.
2. Tubewell Division, Aligarh.
3. Tubewell Division, Mainpuri.
4. Rigs Division, Aligarh.
5. Tubewell Division, Farrukhabad.

*IV—Tubewell Circle, Moradabad*

1. Tubewell Division, Bareilly.
2. Tubewell Division, Moradabad.
3. Tubewell Division, Budaun.
4. Tubewell Division, Shahjahanpur.
5. Tubewell Division, Chandausi.
6. Tubewell Construction Division, Moradabad.

**M. Lift Irrigation Circles.***I—Lift Irrigation Circle, Lucknow*

1. Lift Irrigation Division, I, Lucknow.
2. Lift Irrigation Division, II, Lucknow.
3. Lift Irrigation Division, I, Rae Bareli.
4. Lift Irrigation Division, II, Varanasi.
5. Lift Irrigation Division (Tons), Allahabad.

*II—Lift Irrigation Circle, Varanasi*

1. Lift Irrigation Division, I, Varanasi.
2. Lift Irrigation Division, III, Varanasi.
3. Lift Irrigation Division, Ghazipur.
4. Lift Irrigation Division, Jaunpur.
5. Lift Irrigation Division, Mirzapur.

*III—Lift Irrigation Circle, Allahabad*

1. Lift Irrigation Division, I, Allahabad.
2. Lift Irrigation Division, Pratapgarh.
3. Lift Irrigation Division, Kanpur.
4. Lift Irrigation Division, II, Rae Bareli.
5. Lift Irrigation Division, Bareilly.
6. Lift Irrigation Division, Banda.

### 10.3. POWER DEPARTMENT

10.3.1. Power Department is concerned with the State policies in respect of generation, transmission and distribution of electricity and administration of electricity laws.

10.3.2. The generation of electricity and its distribution commenced in this State when a licence under the Indian Electricity Act, 1903, since repealed by the Indian Electricity Act, 1910, was granted to the City Board, Mussoorie and Dehra Dun in 1908 for supply of electricity to these towns. This was followed by the grant of a similar licence to a private company for the generation and distribution of electricity at Kanpur—then comparatively a small town but with immense potentialities. Other licences to private companies for the supply of electricity to Agra, Allahabad, Lucknow, Bareilly, Varanasi, Mathura, Naini Tal, Shajahanpur, etc., were granted in successive years. About the year 1928 Government thought of extensive development of electrical resources and its distribution in rural areas of the State through private licensees as also through their own agency. In pursuance of that policy, Government started construction of Power Stations. The possibility of utilizing the falls on the Ganga Canal was investigated and twelve falls ranging from 8 to 16 feet were selected. Construction of the following Hydro-electric Power Stations, was taken up on the falls in the year indicated against each: Palra—1929, Bhola—1929, Bahadarabad—1930, Sumera—1931, Salawa—1936, Chitaura—1937, and Nirgajni in 1948. A system of irrigation by State Tube Wells was also put into operation. Side by side, in order to supplement the available hydro-electric power from this so called Ganga Grid, and also to fill the gap when those power stations were to be shut down during the periods of canal closure, a thermal Power Station was constructed at Chandausi in the year 1937. The system of closing the canals during rainy season was later given up. The district of Faizabad had no proper irrigation facilities and in order to improve facilities for the same in that area, a thermal Power Station was constructed by the Government at Sohawal in 1938. The generating capacity of the Ganga Grid was further supplemented by transplantation of an old steam station from Bhatpura near Calcutta at Harduaganj in district Aligarh in the year 1945.

10.3.3. The Kanpur Thermal Power Station was, on expiry of the licence, purchased by the State Government on September 16, 1947 at a cost of Rs. 285 lakhs. Several other power stations, more particularly at Kanpur, Rampur, Mainpuri, Gorakhpur, and Mau and hydro-electric stations at Pathri, Mohammadpur and Khatima were set up. Some of the bigger projects taken up through development plans were the Rihand hydro-electric project in district Mirzapur, Matatila hydro-electric scheme in district Jhansi, Yamuna hydro-electric scheme in district Dehra Dun and Obra thermal power station and Obra hydro-electric scheme in district Mirzapur.



10.3.4. The electrical development of the State was being carried out all along by the Hydro-Electric Branch, commonly known as Hydel Branch of the Irrigation Department under the charge of a Hydro-Electric Engineer of the rank of a Superintending Engineer with headquarters at Roorkee. On account of expansion of the development activities, an independent unit known as the Electricity Department was created in February, 1950 with a Chief Engineer as the head of the Department with headquarters at Lucknow. In November, 1956, the Electricity Department was divided into two parts, viz., the Hydel and the Rihand Dam Power Project each under the charge of separate Chief Engineers at Lucknow. In view of the provisions of the Electricity (Supply) Act, 1948, which aims to provide for rationalisation of production and supply of electricity and generally for taking measure conducive to electrical development, the State Government constituted an autonomous statutory organization, viz., the State Electricity Board with effect from April 1, 1959. The Hydel Organization of the Electricity Department and Kanpur Electricity Supply Administration (KESA) were transferred to the Board. The Rihand Organization, which remained with the Government initially, was also subsequently transferred to the Board with effect from April 1, 1965 on completion of the Rihand Power Project. The Board now covers a vast area of supply in the State, although private licensees as well as certain Municipal Boards continue to supply electricity in their licensed areas. Generally, private licences are not renewed on their expiry and those electricity undertakings are taken over by the Board after giving the old licensees compensation worked out in terms of provisions of the Act of 1948.

10.3.5. The Indian Electricity Act, 1910, prescribes statutory control over electrical installations in the State. The officer responsible for this is the Electrical Inspector to Government. The Electrical Inspector's Organization was formerly under the control of the Chief Engineer, Public Works Department. The Inspectorate then discharged both executive and statutory functions. The position was anomalous because the same officer who executed an installation of electrical work in a government building also performed his statutory functions in respect of the same work. Further, the statutory functions alone had increased appreciably during the post-war period. In June, 1952, therefore, Government set up a committee to go into the question of separation of these two functions of the Electrical Inspector. The committee recommended that the executive functions of the Electrical Inspector may be separated from his statutory functions and the former transferred to the Chief Engineer, Public Works Department. Electrical Inspector to Government was accordingly made with effect from April 1, 1954, an independent head of office directly under the Government in Power Department. This organization now performs statutory and advisory functions only.

10.3.6. Owing to shortage of plant and materials during the War period it became very difficult for licensees to augment the installed capacity of their Power Houses or of the distribution system to

keep pace with the rapid growth in industrialization and the demand for domestic consumption. As the distribution and use of electricity could not be controlled under the existing Indian Electricity Act, 1910, another Act known as the U.P. Electricity (Temporary Powers of Control) Act, 1947 was enacted which empowered the Government to control the distribution and supply of electricity. Implementation of the provisions of this Act is watched by the Electrical Inspectorate. Further, the programme of development which this State had to carry out in the post-war era to attain the objectives of a welfare State required a much larger capital outlay, which could not be met from the usual available resources. It, therefore, became necessary to impose Electricity Duty on the use and consumption of electricity under the U.P. Electricity (Duty) Act, 1952 which was enacted for the purpose. The responsibility for enforcing this Act was also placed on the Electrical Inspectorate.

10.3.7. The Power Department at the Secretariat came into being in the year 1950 after separation of its activities from the Public Works Department.<sup>17</sup> Initially, the Department also dealt partly with the subject of technical education; it looked after the affairs of the Thomason College of Engineering, Roorkee, which was raised to the status of a University and renamed as the University of Roorkee in November, 1949 after the Roorkee University Act, 1948, was passed; also certain civil engineering schools set up at various places from 1954 to 1956, the Moti Lal Nehru Engineering College, Allahabad and the Madan Mohan Malviya Engineering College, Gorakhpur established from the academic sessions 1961-62 and 1962-63 respectively. On the creation of a new Department of Technical Education in January, 1965, work relating to all these institutions was transferred to that Department. The Power Department at the Secretariat comprises of—

Secretary	1
(who is also Secretary, Irrigation and Special Secretary, Agricultural Production and Rural Development Department)	
Joint Secretary, Irrigation & Power (Also Joint Secretary, Agricultural Production and Rural Development Department)	1
Deputy Secretary	1
Assistant Secretary	1
Superintendent	2

The Department has two sections. The subjects dealt with in each are as below:

17. For a details account, see paragraph 4 of Chapter 10.1 on Public Works Department.

*Power (A) Department*

All matters connected with planning of power projects and Government electricity undertakings except establishment, and all matters relating to Kanpur Electricity Supply Administration (KESA) including establishment.

*Power (B) Department*

Administration of Indian Electricity Act, 1910, and Legislation relating to electricity, grant of electrification licences, scale of charges of electricity supply undertakings, electrical accidents, grants of electrical supervisors certificates, wiremen's permits and contractors' licences, etc., U.P. Electricity (Temporary Power of Control) Act, 1947, Electricity Control (Licensees Area), U.P. Electricity (Duty) Act, 1952, disputes between consumers and licensees, Electricity (Supply) Act, 1948, Audited accounts of Electricity Supply Undertakings, Financial Principles, Rating Committees, matters concerned with State Electricity Board—its constitution, terms of grant of loans, etc., and establishment of Electricity Department and Electrical Inspector's Organization.

10.3.8. Inter-State matters regarding supply of power from projects of this State to other adjoining States and *vice versa* are taken up with the concerned State Governments or through the Central Zonal Council for U.P. and Madhya Pradesh of which the Home Minister, Government of India is the Chairman. The Committees with which the Department is concerned at the State level, are—

(1) *Standing Committee of Legislature on Power*. This Committee, with Minister for Power as Chairman and members of the both houses of Legislature as Members, advises the Minister on various matters relating to power development in the State. The Committee meets ordinarily twice a year or as often as necessary.

(2) *Central Zone Power Development (Technical) Advisory Committee*. This has been constituted by the Central Zonal Council to explore the possibility of development of power on zonal basis in Central Zone comprising Madhya Pradesh and Uttar Pradesh. The Committee consists of Chairmen, State Electricity Boards, Chief Engineers of Irrigation and Power of both the States and representatives of the Central Water and Power Commission.

### I—U.P. STATE ELECTRICITY BOARD

10.3.9. The U.P. State Electricity Board is primarily responsible for rationalization of production and supply of electricity, and generally for taking measures conducive to electrical development in the State. The Board is constituted under Section 5 of the Electricity (Supply) Act, 1948. Members of the Board are appointed by the State Government. Section 5 of the Act lays down that the Board shall consist of not less than three and not more than seven members.

Of these Members, one shall be person who has experience of, and has shown capacity in, commercial matters and administration; one shall be an electrical engineer with wide experience, and one shall be a person who has experience of accounting and financial matters in a public utility undertaking, preferably an electric supply undertaking. A person shall be disqualified from being appointed or being a Member of the Board if he is a member of Parliament or of any State Legislature or any local authority.

10.3.10. The Chairman of the Board, who is also Member (Administration), is the administrative head of the organization and is responsible for the general working of the Board. The other three regular Members are Member (Engineering), Member (Accounts) and the Member-Secretary to the Board. Secretaries to Government in Finance and Power Departments as also Judicial Secretary to Government are its *ex-officio* Members, who watch the interest of the Government in their respective departments.<sup>18</sup> The Board can appoint such officers and staff as may be required to enable it to carry out its functions under the Act, but appointment of Secretary to the Board is subject to approval of the State Government. The Board has prescribed its Rules of Business and Procedure laying down the procedure for convening meetings of the Board, the items which are to be referred to the Board and the procedure for the disposal of its day-to-day business. Broadly speaking, Member (Administration) is responsible for disposal of administrative matters. He is also responsible for disposal of commercial matters in consultation with Member (Engineering) and Member (Accounts). Member (Engineering) is responsible for disposal of all engineering and technical matters of the Board. Member (Accounts) is responsible for disposal of matters relating to accounting procedure and for collaboration with Member (Administration) and Member (Engineering) on matters concerning revision of rates and tariffs for sale of electricity. The Board meets at least once every month for taking decisions on important matters.

10.3.11. The Board is a Statutory body enjoying a fair degree of autonomy and is charged with the responsibility of promoting co-ordinated development of generation, supply and distribution of electricity within the State in the most efficient and economical manner, particularly in areas not for the time being served by any licensee. It is a commercial organization and is required under law to adjust its tariffs in order not to run at a loss. The State Government have constituted under Section 16 of the Act, a State Electricity Consultative Council consisting of representatives of electricity supply industry, commerce, industry, transport, agriculture, labour employed in electricity supply industry and consumers, etc., and the Members of the Board, with the Chairman of the Board as its *ex-officio* chairman,

18. The Secretary to Government, Industries Department, who was also an *ex-officio* Member of the Board, ceased to function as such with effect from October 1, 1969.

to advise the Board on major questions of policy and major schemes, to review the progress and the work of the Board and to consider such matters as the State Government may, by rules, prescribe. It is necessary for the Board to place before this Council the annual financial statement of the estimated capital and revenue receipts and expenditure before submitting it to the State Government. Section 17 of the Act also authorizes the State Government to constitute Local Advisory Committees for certain areas as it may think fit and the Board can consult the Committees on any business coming before it. No scheme which is estimated to result in a capital expenditure exceeding fifteen lakhs of rupees can be prepared by the Board without prior consultation with the State Government. The Board, however, sends copy of every scheme to the State Government for publication in the Gazette so that persons interested may make representation thereon. For schemes costing more than Rs. one crore, prior consultation of the Central Electricity Authority is also necessary and if the recommendation made by that Authority is not accepted by the Board, the latter cannot sanction the scheme without the previous consent of the State Government. This Central Authority has been constituted under Section 3 of the Act to develop a uniform national power policy and to act as arbitrator in matters arising between the State Government and the Board. The Board can make arrangements with a licensee for establishing a generating station only with the sanction of the State Government. The State Government have also powers in respect of ratings and formation of Rating Committee. It can also grant after consultation with the Board, a licence not inconsistent with the provisions of the Indian Electricity Act, 1910, even though it may be inconsistent with the Electricity (Supply) Act, 1948, to any person in respect of any area and on such terms and conditions as the Government may think fit. The State Government makes subventions and advances and loans to the Board on conditions as determined by the Government. The Board can also borrow with the previous sanction of the State Government. The profit and loss account and the balance-sheet of the Board have to be prepared by it in forms prescribed by the State Government in consultation with the Auditor-General of India, and the Board has to comply with such instructions as are issued by the State Government on those accounts as are certified by the Auditor-General. Section 75 of the Act makes it obligatory for the Board to submit to the State Government on prescribed forms, its annual report giving an account of its activities as also on the activities which are likely to be undertaken by it in the next financial year and other statistics and returns as the State Government may from time to time require.

10.3.12. All questions arising between the State Government or the Board and a licensee or other person are to be determined under Section 76 of the Act by arbitration by the Central Electricity Authority whose award is taken as final and conclusive. In the discharge of its functions the Board is guided by such directions on questions of policy as may be given to it by the State Government and if any



dispute arises between the Board and the State Government as to whether a matter is or is not a question of policy, it has to be referred to the Central Electricity Authority whose decision is final. Cases of such conflict are, however, rare and there has never been any occasion in which any matter had to be referred for adjudication to this Authority. The State Government have powers to make rules to give effect to the provisions of the Act and in particular in respect of the powers of the Chairman and terms of his office and other Members, about the form of annual financial statements and the manner in which the accounts of the Board have to be maintained, etc., and about the administration of the funds of the Board.

10.3.13. Besides the Member-Secretary, the Board has the following officers at its headquarters at Lucknow:

Deputy Secretary	3
Senior Personnel Officer	1
Law Officer	1
Assistant Secretary	3
Stationery Officer	1
Officer on Special Duty (Rules)	1
Superintendent	1

The headquarters office has four Sections, viz., (1) Establishment Section dealing with the establishment of Chief Engineers' Organization, (2) Project Section, (3) Commercial Section which also deals with general administration and headquarters establishment and has a Legal Cell attached to it, and (4) Stationery Section for the procurement and supply of stationery to all subordinate units in the State.

10.3.14. The Accounts Organization of the Board, which came into being during 1962-63, functions as a part of the headquarters office under Member (Accounts). Prior to that, the Accountant General, U.P., maintained the accounts. There is one Chief Accounts Officer who is assisted by an Additional Chief Accounts Officer, two Senior Accounts Officers and several Accounts Officers, who deal with works audit, audit of establishment expenditure, budget, etc.

10.3.15. The Board has two constituent units—viz., (i) Chief Engineer, Hydel, and Chief Engineer, Commercial and Maintenance, and (ii) Kanpur Electricity Supply Administration. When the Board was formed on April 1, 1959, all officers and staff serving in the Electricity Department were placed on deputation with the Board. As the Board's activities expanded, it became necessary to make large scale recruitments. The Board being an autonomous organization, recruitment to the posts of Assistant Engineers under the Board is made by a Departmental Selection Committee consisting of three Members of the Board. The Board has generally two sets of employees under it—(i) Government servants of the Central and the State Governments who are treated to be on foreign service with the



Board and (ii) personnel directly recruited by the Board. In order to avoid, as far as possible, any disparity between the conditions of service of the Board's employees and that of State Government employees taken on deputation, the Board has adopted the State Government's Travelling Allowance Rules, Pension Rules, General Provident Fund Rules, Conduct Rules, etc., for application to personnel directly recruited by the Board. There is yet another class of employees, who have been taken over from the ex-licensee companies from time to time. Some of them have been taken over on the Board's standard terms and conditions of service and some on their old terms and scales of pay, etc.

### CHIEF ENGINEER (HYDEL) AND CHIEF ENGINEER (COMMERCIAL AND MAINTENANCE), LUCKNOW

10.3.16. The Chief Engineers are in overall charge of the entire technical organization of the Board, other than Kanpur Electricity Supply Administration, and are responsible for administration, planning, maintenance and commercial matters relating to the Hydel Wing. They are assisted at the headquarters by a Deputy Chief Engineer (Administration), a Superintending Engineer (System Operation) and a Superintending Engineer (Commercial) with two Executive Engineers attached to each of them with an Executive Engineer (Line Losses) under the former, five technical Personal Assistants—one each for Project, Works and Complaints and two for Commercial assignments, along with a Personal Assistant drawn from the ministerial establishment, one Administrative Officer and one Senior Accounts Officer. The work at the headquarters office is distributed in numerous sections. There is also one Deputy Chief Engineer posted at Harduaganj, district Aligarh, for local projects and one at Obra, district Mirzapur, for Obra Hydel and Thermal Projects. The latter is assisted at his headquarters by two Executive Engineers.

10.3.17. The administrative unit of the organization is a Circle under the charge of a Superintending Engineer, who is responsible for the administration of maintenance and construction works and for the assessment and realisation of revenue from the sale of electricity. Circles are divided into Divisions, each under the charge of a Divisional Officer (Executive Engineer) who is responsible for execution of works and for maintenance and efficient working of power houses, transmission lines and sub-stations within his Division. Quite often, one or more Executive Engineers are attached to Circles as also to Divisions for special assignments or design of projects, etc. The Divisions are divided into Sub-divisions, each under the charge of an Assistant Engineer. He is responsible to the Executive Engineer for maintenance and efficient working of all plants and equipment and execution of works in his sub-division. Sub-divisions are divided into sections, each under the charge of a Line Inspector/Mains Superintendent who, assisted by subordinate staff, is the main functionary at the lowest level. There is a Test Division in each maintenance Circle,

which is responsible for installing, testing and repairing meters and other equipment and also for the maintenance of the protective system of various grids. A separate Test and Commissioning Circle exists at Lucknow for testing high tension installations of 66 KV and above. Since rural electrification constitutes an important part of the development activities of the Board, the village *panchayats* of those villages, which are to be electrified by the Board, are consulted where necessary. The representatives of the Board also attend the District Planning Committees and Block Planning Committees so as to keep themselves aware of the other developmental activities and to plan their programmes in consonance with such activities.

10.3.18. The organization under the Chief Engineers had on November 1, 1969, the following Circles and Divisions:

A. Hydel Circles

*I—Hydel Ganga Circle, Aligarh*

Hydel Divisions, Aligarh, Mainpuri, Agra, Etah and Mathura.  
Hydel Test Division, Aligarh.

*II—Hydel Transmission Construction Circle, Aligarh*

Hydel Sub-Station Construction Division, Mainpuri.  
Hydel Transmission Construction Divisions, Aligarh, Mainpuri and Moradabad.

*III—Rihand Hydel Circle, Allahabad*

Construction Divisions, Allahabad, Sultanpur and Faizabad.  
Transmission Construction Division, Gonda.

*IV—Hydel Circle, Allahabad*

Hydel Divisions, Allahabad, Fatehpur, Kanpur, Farrukhabad and Etawah.  
Hydel Test Division, Allahabad.  
Panki Sub-Station Division, Kanpur.  
220 KV. Rewa Road Division, Allahabad.

*V—Sarda Hydel Circle, Bareilly*

Hydel Divisions, Bareilly, Pilibhit, Haldwani and Shahjahanpur.  
Generation Division, Lohia-head.  
Hydel Test Division, Bareilly.

*VI—Hydel Yamuna Circle, Stage I & II, Dehra Dun*

Plant Division, Dhakpathar.  
Power Construction Division, Dhakpathar.  
Construction Division, Dhakrani.  
Generation Division, Dhakrani.  
Other Executive Engineers (Design)—Five.

*VII—Hydel Circle, Faizabad*

Hydel Divisions, Faizabad, Sultanpur, Bara Banki, Bahraich and Gonda.

Hydel Test Division, Faizabad.

*VIII—Hydel Circle, Gorakhpur*

Hydel Divisions, Gorakhpur, Basti, Deoria and Azamgarh.

Hydel Dist. Division, Gorakhpur.

Test Division, Gorakhpur.

*IX—Hydel Matatila Circle, Jhansi*

Hydel Divisions at Jhansi, Banda and Matatila.

Test Division, Jhansi.

*X—Hydel Circle, Kanpur*

Transmission Construction Divisions at Kanpur, Sitapur, Lucknow and Shahjahanpur.

*XI—Hydel Circle, Lucknow*

Hydel Divisions, Lucknow, Sitapur, Rae Bareilly, Lakhimpur and Hardoi.

Test Division, Lucknow.

*XII—Hydel Sub-Station Design Circle, Lucknow*

Five Executive Engineers (Design) and one for Obra Thermal Circle, Obra.

*XIII—Lucknow-Allahabad Electricity Supply Undertakings, Lucknow*

Resident Engineers, Allahabad and Lucknow.

Executive Engineer, Construction, Allahabad.

Executive Engineer, (Planning & Design Unit), Lucknow.

Executive Engineer (Meters).

*XIV—Hydel Civil Construction Circle, Lucknow*

Hydel Civil Construction Divisions, Roorkee, Varanasi, Kanpur, Lucknow and Allahabad.

T. & D. Unit, Lucknow.

*XV—Hydel Test & Commissioning Circle, Lucknow*

Test & Commissioning Division, Lucknow.

Carrier Divisions, Harduaganj and Varanasi.

Protection & Co-ordination Unit, Lucknow.

Commissioning Unit, Lucknow.

*XVI—Hydel Circle, Moradabad*

Hydel Divisions, Bijnor, Moradabad, Budaun and Rampur.  
 Dist. Division, Moradabad.  
 Test Division, Moradabad.

*XVII—Hydel Ganga Circle, Meerut*

Hydel Divisions, Meerut, Ghaziabad, Modinagar, Bulandshahr  
 (North) and Bulandshahr (South).  
 Test Division, Meerut.

*XVIII—Hydel Ramganga Circle, Rampur*

Executive Engineer, Ramganga (Design).  
 Executive Engineer, Ramganga Project (Generation Design).  
 Generation Division, Kalagarh.  
 Uttarakhand Division, Srinagar.  
 One Executive Engineer, Survey & Investigation, Hills Scheme  
 Plant Division, Kalagarh.

*XIX—Hydel Ganga Circle, Roorkee*

Executive Engineer (Control), Roorkee.  
 Hydel Divisions, Roorkee, Dehra Dun and Muzaffarnagar.  
 Test Division, Roorkee.

*XX—Hydel Transmission Construction Circle, Roorkee*

Transmission Construction Divisions, Roorkee, Meerut, Dehra  
 Dun and Ghaziabad.  
 Executive Engineer, Construction, Muradnagar.

*XXI—Hydel Rihand Circle, Varanasi*

Hydel Divisions, Varanasi, Ballia, Jaunpur, Ghazipur and  
 Mirzapur.  
 Generation Division, Pipri, with one additional Executive Engi-  
 neer.  
 Test Division, Varanasi.

*XXII—Hydel Transmission Construction Circle, Varanasi*

Construction Division, Mirzapur.  
 Transmission Construction Divisions, Varanasi, Azamgarh and  
 Gorakhpur.  
 Executive Engineer, Construction, Varanasi.

**B. Hydel Stores Circles***I—Hydel Stores Procurement Circle, Lucknow*

With five attached Executive Engineers (including one for Obra  
 Thermal Power Station).

*II—Hydel Stores Inspection Circle, Lucknow*

With four attached Executive Engineers.

C. Hydel Training Institute, Lucknow

Under a Director of the rank of Superintending Engineer with one Executive Engineer.

D. Hydel Project, Planning and Design Circles.

*I—Hydel Project & Planning Circle, Lucknow*

With three Executive Engineers (Designs), one attached for Bundelkhand Schemes and one for Himalyan Schemes.

*II—Hydel Secondary System Design & Planning Circle, Lucknow*

With three Executive Engineers.

*III—Hydel Thermal Design Circle, I, Lucknow*

With four Executive Engineers, two for Mechanical and one each for Civil and Electrical matters.

*IV—Hydel Thermal Design Circle, II, Lucknow*

With four Executive Engineers including one for Civil works.

E. Harduaganj Project and Thermal Power Station.

*I—Harduaganj Mechanical Plant Erection Circle, Stage IV*

Plant Division, Stage IV.

Purchase Division, Stage IV.

Boiler Plant Erection Division, Stage IV.

Turbo Set Erection Division, Stage IV.

Control and Instrumentation Division, Stage IV.

Mechanical Construction Division, Stage III.

Civil Division, Stage, III.

*II—Harduaganj Electrical Plant Erection Circle, Stage IV*

Electrical Construction Division, Stage IV.

Electrical Outdoor Division.

Electrical Indoor Division.

Civil Division, Stage IV.

*III—Harduaganj Operation 'B' Thermal Power Station*

With one Executive Engineer (General), three shift Executive Engineer and an Executive Engineer (O&M), Coal Handling.

*IV—Harduaganj Maintenance 'B' Thermal Power Station*

Four Executive Engineers for Boiler Maintenance, Turbine Maintenance, Electrical Maintenance and Electrical Thermal Control.

*V—Harduaganj 'B' Power Station (Completion) Circle, Stage III*

Two Executive Engineers for Electrical Construction (Stage III) and Completion Reports.

*VI—Operation & Maintenance Circle 'A' Power Station, Kasimpur*

Executive Engineers (Boiler), (Electrical) and (Mechanical) with other four Executive Engineers for shift duties.

F. Obra Thermal Power Station and Dam Project, District Mirzapur.

*I—Hydel Obra Circle, Obra*

Construction Division.

Plant Division.

Two Executive Engineers for Designs and one Executive Engineer posted as Liaison Officer at Bhopal.

*II—Obra Thermal Extension Circle, Obra*

Mechanical Plant Division.

Extension Plant Division.

Mechanical Stores Division.

Hydel Civil Division.

Two other Executive Engineers for Erection.

*III—Obra Thermal Electrical Extension Circle, Obra*

Electrical Division.

Executive Engineers for Electrical Erection, C. & I. Erection and Turbo Generation Erection.

*IV—Obra Thermal Power Circle, Obra*

[With Superintending Engineer (Erection) and Superintending Engineer (Thermal)].

Electrical Division.

Stores Division.

Switch Gear Turbo Generator Erection Division.

(C & I) Erection Division.

Rotating Machinery & Miscellaneous Division.

Mechanical Thermal Division.

(R & P) Commissioning Division.

Executive Engineer, Completion Reports.

Executive Engineer, Boiler (I & P Division).

Two other attached Executive Engineers.

*V—Operation Thermal Circle, Obra*

Coal Handling Division.

Four Operation Divisions, Groups A, B, C and D.

Control and Instrument Division.

Efficiency Division.



*VI—Maintenance Thermal Circle, Obra*

With one Executive Engineer attached to Circle.  
 Electrical Maintenance Division.  
 Turbine Maintenance Division.  
 Boiler Maintenance Division.

### KANPUR ELECTRICITY SUPPLY ADMINISTRATION (KESA)

10.3.19. The General Manager is in the over-all charge of the Kanpur Electricity Supply Administration and is directly responsible to the Board. He is assisted in his work by a Superintending Engineer (Planning and Personnel) and two Personal Assistants. There are four main branches in this Undertaking, each under the control of a senior officer as under:—

- (i) Generation Branch. This is in the charge of a Resident Engineer whose main function is the technical administration of the operation and maintenance of the River-side Power House.
- (ii) Transmission and Distribution Branch. This is in the charge of a Distribution Engineer who is mainly responsible for the technical administration of distribution of electricity starting from the outgoing terminals of the Power House including the setting of the protective devices and ending at the consumer's terminals.
- (iii) Commercial Branch—This Branch is looked after by the General Manager himself and is responsible for the proper working of the Commercial side of the Administration.
- (iv) Accounts Branch—This Branch is responsible for finance, accounts, tariffs and non-technical administration of the undertaking.

### II. ELECTRICAL INSPECTOR TO GOVERNMENT U.P.

10.3.20. The headquarters of the Electrical Inspector to Government are at Lucknow. He decides the disputes arising under the Indian Electricity Act, 1910 and the rules made thereunder. In the administration of electricity laws and in the performance of his statutory functions he is assisted by a Deputy Electrical Inspector. He gives advice to Government from time to time in all matters concerning electricity laws and also arbitrates in matters of disputes between the licensee and the consumers including local authorities. Two Assistant Electrical Inspectors are attached to the headquarters to help the Electrical Inspector in the day-to-day work and to look after the meter testing laboratory set up for deciding disputes which are referred to him under Section 26 (6) of the Act.

10.3.21. After the enactment of the Electricity (Supply) Act,

1948, it became necessary to check the working of the Electric Supply Undertakings to verify whether the provisions of the financial principles laid down in the Sixth Schedule to this Act were being followed by them or not. To achieve this purpose an Audit Organization was created in this Inspectorate under the charge of an Audit Officer to audit the annual statements of Accounts of the licensees which were formerly checked by the private auditors appointed with the approval of the State Government by the licensees themselves. The Audit Organization keeps a watch over their accounts so that they do not earn profit beyond the permissible limits. It also sees to the proper enforcement of the U.P. Electricity (Duty) Act, 1952 and the rules made thereunder.

10.3.22. Initial as also periodical inspections and testing of consumers' electrical installations in the State, including new high and extra high voltage installations of the State Electricity Board, are conducted under the Indian Electricity Rules, 1956, or under the U.P. Cinematograph Rules, 1951, so far as they concern electrical installations, through ten zonal units<sup>19</sup> at Lucknow, Agra, Aligarh, Allahabad, Bareilly, Dehradun, Gorakhpur, Kanpur, Meerut and Varanasi each with an Assistant Electrical Inspector, under the overall charge of regional Deputy Electrical Inspectors. The Deputy Electrical Inspector at the headquarters also works for the Region and looks after Lucknow, Bareilly and Gorakhpur Zones. The Deputy Electrical Inspector at Allahabad looks after Allahabad, Varanasi and Kanpur Zones and that at Meerut looks after Meerut, Aligarh, Agra and Dehra Dun Zones. An Assistant Electrical Inspector is helped in the discharge of his functions by Electrical Supervisors and Overseers.

10.3.23. The Electrical Inspector is *ex-officio* Chairman of the Board of Examiners (Electricity) of which the Principals of two technical institutes, to be nominated by the Government, are Members. Candidates applying for the grant of certificates of competency to work as Supervisors and for permits to work as Wiremen have to appear before the Board, which meets twice a year. The Electrical Inspector also issues licences to electrical contractors under rule 45 of the Indian Electricity Rules, 1956, for carrying out electrical installation works.

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19. Formerly, all the zonal officers were stationed at Lucknow. Zonal units started functioning at Lucknow, Agra and Varanasi from 1964 and at other places from 1966.

## Acts, Rules, Regulation, etc., concerning Power Department

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<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation or Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
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*Acts*

- |    |   |      |                      |
|----|---|------|----------------------|
| 1. | Indian Electricity Act                                      | 1910 | Government of India. |
| 2. | U.P. Electricity (Temporary Powers of Control) Act          | 1947 | State Government.    |
| 3. | Electricity (Supply) Act                                    | 1948 | Government of India. |
| 4. | Electricity (Supply) (Amendment) Act                        | 1966 | Government of India. |
| 5. | U.P. Electricity (Duty) Act                                 | 1952 | State Government.    |
| 6. | U.P. Government Electrical Undertakings (Dues Recovery) Act | 1958 | Do.                  |

*Rules, etc.*

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|----|---|------|--|
| 1. | U.P. Electricity (Duty) Rules   | 1952 | State Government.                          |
| 2. | Manual of Orders, Electricity Department  | 1954 | State Government.                          |
| 3. | Indian Electricity Rules  | 1956 | Central Electricity Board, Govt. of India. |
| 4. | U.P. State Electricity Consultative Council and Local Advisory Committees Rules | 1963 | State Government.                          |
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## 10.4. TRANSPORT DEPARTMENT

10.4.1. In 1914, the first enactment on Motor Vehicles gave the Police Department full jurisdiction over the operation of both passenger and goods vehicles. With a view to regulating bus transportation services, the Government of India subsequently enacted the Motor Vehicles Act, 1939 which sought to transfer the administration and control of public service vehicles from the Police Department to statutory bodies, viz., the Provincial Transport Authority and the Regional Transport Authorities. The Board of Revenue was constituted as the Provincial Transport Authority and the Commissioners of Divisions as Regional Transport Authorities.

10.4.2. The reorganization of the machinery to control and regulate the road transport industry in the State and to ensure efficient administration of the motor vehicles law was undertaken in 1945. As a consequence, the office of Transport Commissioner was created in February, 1945. A separate Department for Transport was also set up in the Secretariat in April the same year with the object of ensuring co-ordination between rail and road transports. The Department also took over from the Public Works Department the control on the sale of motor vehicles and their spare parts which that Department was doing since the outbreak of the Second World War. In the re-organization process, the functions of registration of motor vehicles, licensing of drivers of motor vehicles, taxation of motor vehicles and in fact the entire administration of the motor laws in the State, viz., Indian Motor Vehicles Act, 1939, U.P. Motor Vehicles Rules, 1940, U.P. Motor Vehicles Taxation Act, 1935 and U.P. Motor Vehicles Taxation Rules, 1935 was centralized in the Transport Department. This dispensed with the powers of registration and licensing of motor vehicles by the district Police Officers and control on Transport by the Provincial Transport Authority. In the re-organized set up, the Transport Commissioner became the Chairman of the reconstituted Provincial (later State) Transport Authority in place of Member, Board of Revenue, and the Deputy Transport Commissioner (Administration) took over the charge from Superintending Engineer, P.W.D., Lucknow as Member-Secretary. At Regional levels, the Commissioners of Divisions continued to be the Chairmen of Regional Transport Authorities but the Regional Transport Officers of the Department took over the functions of Members-Secretary from Additional Commissioners or Deputy Collectors. The Regional Transport Officers were further entrusted with the responsibilities of registering, licensing and taxation authorities. The Transport Department further set up an Enforcement Branch to undertake intensive enforcement of motor laws. It was manned by the personnel drawn from Police Department of the State. In 1959, this Branch was reorganized and the departmental personnel replaced the police personnel. Technical Inspectors were provided to the Regional Transport Officers to exercise strict control over the mechanical condition of motor vehicles. A Tribunal was set up in 1954 to re-

place the appellate body to decide the motor appeals against the decisions of Regional Transport Authorities. This was further modified and the Board of Revenue was appointed subsequently as State Transport Tribunal to decide all appeals under Section 64 of the Indian Motor Vehicles Act, 1939. Government also set up Joint Stock Companies with the aim of having private operators share with the Railways in the financing and management of road transport, but private operators were reluctant to get into those joint stock companies and Government ultimately decided in May, 1947 to introduce the scheme of nationalised road transport in the shape of a State undertaking, viz., the U.P. Government Roadways to provide for comfortable, cheap and efficient means of transport. In 1951, the State Road Transport Act was enacted but it was challenged by private operators, and was also declared *ultra vires* by the Supreme Court in 1954. The legal handicaps confronting the scheme were, however, offset and the proceedings taken under the Act were validated by the U.P. Road Transport Services Ordinance, 1955, which was followed by the enactment of the U.P. Road Transport Services (Development) Act, 1955. In order to bring uniformity all over the country, the Government of India also amended the Motor Vehicles Act, 1939 by adding Chapter IV-A to the Act, prescribing a procedure for taking over routes for nationalised services. It came into force in 1957 and since then the expansion of the U.P. Government Roadways has been undertaken under the provisions of the Motor Vehicles Act.

10.4.3. The Transport Department was also assigned with the task of encouraging civil aviation in the State. A Flying Club was organised in November, 1946 and was registered as the Hind Flying Club Ltd., Lucknow, operating over the whole of the State. The subject of Tourism, originally taken up in 1956 in the Planning set-up for the promotion of Tourism in the State was also placed under the charge of the Transport Commissioner in August, 1961. The scheme suffered a severe set back on account of Emergency in 1962, when it was virtually abandoned, construction programme was given up and several field offices were closed. The organization was revived later on a limited scale. A full-fledged Directorate of Tourism was, however, set up in 1965 with a whole-time Director assisted by a Deputy Director (Tourism), but the old position was soon restored and the organization was again placed in 1967 under the Transport Commissioner with the Deputy Director as its immediate in-charge. That post was subsequently designated as Deputy Transport Commissioner (Tourism). The administration of the *U.P. Motor Gadi (Yatri Kar) Adhiniyam* and *Niyamawali*, 1962 and *U.P. Motor Gadi (Mal Kar) Adhiniyam* and *Niyamawali*, 1964, were also entrusted to the Transport Commissioner's Organization.

10.4.4. The portfolio of Transport is held by the Minister for Transport. The Secretariat organization consists of:

Secretary (also Secretary, PWD)	1
Special Secretary (also for PWD)	1

Deputy Secretary	2
Superintendent	2

The subjects dealt with in the Department (which was bifurcated into two Sections in 1960) are broadly as under:

#### *Transport (A) Department*

U.P. Government Roadways Organization and Roadways Central Workshops, Roadways Board, Rail-road Co-ordination, Railway Users' Consultative Committee, labour laws, accidents involving Roadways vehicles and nationalization of routes.

#### *Transport (B) Department*

Administration of Motor Vehicles and Transport Acts and Rules, Civil Aviation, Sea Passage Authority; Standing Committee of Legislature on Transport. Regional Transport Authorities and State Transport Authority, Passenger Tax and Goods Tax, delegation of powers of Taxation Officers to Automobile Association, All India Road Transport Undertakings' Conference, Tourism, purchase and allocation of vehicles to government departments and their maintenance; priority allotment of motor cars, scooters, etc., and Annual General Administration Report.

### THE TRANSPORT COMMISSIONER, U.P.

10.4.5. The Transport Commissioner, U.P., Lucknow is the administrative and executive head of the organization and is responsible for administration of motor and taxation laws, administration and operation of the U.P. Government Roadways and promotion of tourism. He is Chairman of the State Transport Authority under the Motor Vehicles Act, 1939. All schemes for the expansion of road transport services and for the grant of permission to private operators to operate their buses on routes or parts of routes operated by the U.P. Government Roadways require his approval before they are submitted either to the Regional Transport Authorities or to the Government. Broadly speaking, the activities of the Department are divided into two Branches—one known as Administrative or Non-Roadways Branch is responsible for administration and enforcement of motor laws and various taxation laws and the other known as Roadways Branch deals with nationalised road transport and tourism.

10.4.6. The Transport Commissioner is assisted by nine Deputy Transport Commissioners at the headquarters. Four of them are on the Administrative side. The Deputy Transport Commissioner (Administration), assisted by Assistant Transport Commissioner (Administration), is in-charge of the administration of the Transport Commissioner's headquarters office and the Regional Transport offices. He is also the Member-Secretary of the State Transport Authority. The Deputy Transport Commissioner (Enforcement), assisted by an Assistant Transport Commissioner (Enforcement) and



an Assistant Regional Transport Officer (Enforcement) at the headquarters attends to the administration and control of the enforcement work of the Regional Transport Officers. The Deputy Transport Commissioner (Technical) arranges purchase of motor vehicles for all Government departments, excluding the Roadways, and exercises control over inspection of vehicles by Regional Inspectors (Technical) and on repairs of vehicles belonging to other Government departments. The Deputy Transport Commissioner (Passenger Tax and Goods Tax), assisted by Assistant Transport Commissioner (Goods Tax), supervises the collection of these taxes. The work relating to Roadways Branch is looked after by five Deputy Transport Commissioners. The Deputy Transport Commissioner (Roadways) along with an Assistant Transport Commissioner (Technical) and a Stores Verification Officer is in-charge of all administrative matters concerning the Workshop Organization of Roadways and purchase of motor vehicles and stores. The Deputy Transport Commissioner (Roadways-Operation) is in-charge of establishment matters concerning the non-technical Roadways personnel and control over the Roadways operation. The Deputy Transport Commissioner (Roadways-Development) with an Assistant Transport Commissioner (Roadways-General) looks after the development of Roadways services, application of labour laws to the Roadways Organization and public relations. He also functions as State Controller under the Motor Car (Distribution and Sale) Control Order, 1959, Scooter (Distribution and Sale) Control Order, 1960, and Commercial Vehicles (Distribution and Sale) Control Order, 1963. The Deputy Transport Commissioner (Accounts) assisted by a Chief Accounts Officer, an Accounts Officer and an Assistant Accounts Officer at the headquarters, acts as adviser to Transport Commissioner in financial matters and controls the commercial accounts and is responsible for the scrutiny of profit and loss account and balance sheet of the Roadways Organization. There is also an officer of the rank of Deputy General Manager to finalize rules and Manuals of the Department.<sup>20</sup> The Deputy Transport Commissioner (Tourism), assisted by a Publicity Officer, looks after the promotion of tourism in the State. The work relating to construction of buildings is entrusted to an Executive Engineer at the headquarters, who is assisted by Assistant Engineers, all of whom are, on deputation from the Public Works Department. The Transport Commissioner is further assisted by a Personal Assistant of the status of Assistant General Manager (Roadways).

20. An Intelligence and Evaluation Cell for evaluation of the working of Transport Department was set up in the General Administration Department (Reorganization) in September, 1966. (See Chapter 11.2). It was manned by two Officers on Special Duty—one from the Roadways Operation side and the other from Engineering side. The Cell reported on the working of numerous Regions of the U.P. Government Roadways and Workshops. The officer from the Engineering side ceased to function after some time. The term of the O.S.D. (Intelligence and Evaluation) belonging to the Roadways Operation side, who later started working in the Transport Commissioner's office, also ended in December, 1968. The finalization of draft rules and Manuals of the Department, taken up earlier by that officer, were entrusted in January, 1969 to the Deputy General Manager (Rules).

10.4.7. The Transport Commissioner, the Deputy Transport Commissioner (Administration), the Deputy Transport Commissioner (Roadways), the Deputy Transport Commissioner (Roadways-Operation), the Deputy Transport Commissioner (Enforcement), the Deputy Transport Commissioner (Passenger and Goods Tax), the Assistant Transport Commissioner (Administration) and the Assistant Transport Commissioner (Enforcement) are, under Motor Vehicles Act, 1939, delegated with powers to inspect the licences of drivers and conductors under section 86(1), to stop a motor vehicle, under section 87(1)(a), to make inquiries from the owners, drivers and conductors of motor vehicles under sections 88 and 98(b), to inspect the Certificate of Insurance under section 106(1), to arrest without warrant under section 128 a person who drives his vehicle dangerously under the influence of drink, without authority, gives false name and address on demand, or is likely to abscond or avoid service of a summons; to impound documents of the vehicle and the Driving Licence under section 129 and to detain motor vehicles used without the certificate of Registration or permit under section 129-A of the Act.

10.4.8. Though the Department is clearly divided into two distinct Branches at Regional level and below, there is no such clear division at the headquarters office of the Transport Commissioner, which is divided into following sections:

#### *A. Non-Roadways Sections*

(They deal with the work relating to administration and enforcement of motor and taxation laws exclusively).

1. *State Transport Authority Section.* This Section under the charge of Deputy Transport Commissioner (Administration), deals with the administration of the Motor Vehicles Act, 1939, the U.P. Motor Vehicles Rules, 1940 and the U.P. Motor Vehicles Taxation Act and Rules, 1935, interpretation of transport laws and tax-appeals, matters within the jurisdiction of the State Transport Authority and Tribunal; rates of freights and fares, reciprocity with neighbouring States, Conferences of State Transport Commissioners, Transport Development Council, court cases relating to motor laws, payment of compensation in road accidents, Rail-Road Co-ordination, and grants-in-aid for the development of civil aviation.

2. *Enforcement Section.* This Section, under the charge of Deputy Transport Commissioner (Enforcement), deals with matters relating to the enforcement of motor and taxation laws, including establishment matters relating to officers of Enforcement Branch, viz., Assistant Regional Transport Officers (Enforcement), Assistant Public Prosecutors and other Enforcement Squad staff, and is primarily concerned with the performance evaluation of Squads.

3. *Passenger and Goods Tax Section.* It looks to the administration and enforcement of the *U.P. Motor Gadi (Yatri Kar) Adhiniyam*, the *U.P. Motor Gadi (Mal Kar) Adhiniyam* and the rules made

under them, under the supervision of the Deputy Transport Commissioner (Passenger Tax and Goods Tax), along with the establishment of field staff, *viz.* Passenger Tax Officers, Passenger Tax Superintendents, Goods Tax Officers and Goods Tax Superintendents.

#### B. Sections of Roadways Branch

(They deal with work relating to operation and administration of the U.P. Government Roadways only).

4. *Roadways Section.* The Section, under the charge of the Deputy Transport Commissioner (Roadways-Development) deals with matters concerning survey and taking over (i.e., nationalisation) of new routes<sup>21</sup> for Roadways operation and court cases connected therewith, complaints against Roadways, incentive schemes and rewards to drivers and technical staff,<sup>22</sup> accidents involving Roadways vehicles and settlement of claims for compensation, Railway out-agencies, contracts for postal mails, staff welfare schemes and meetings of the Roadways Board, the Regional Advisory Committees, meetings of General Managers of Roadways, inter-State Conferences of Road Transport Undertakings and transport arrangements for VIPs and other dignitaries.

5. & 6. *Roadways Establishment Section and Roadways Disciplinary Section.* The officers who look after these sections are the Deputy Transport Commissioner (Roadways) for technical staff<sup>23</sup> and the De-

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21. Nationalisation of a particular route for Roadways operation involves various processes, *viz.*, preliminary survey reports of General Managers of U.P. Government Roadways, preliminary Government approval in case the proposal is found economical and in public interest, collection of comprehensive information from the General Managers and Regional Transport Officers, preparation of scheme for issue of Government Notification under section 68(c) of the Motor Vehicles Act, 1939 and inviting objections from the persons who are affected by the scheme and do not agree with it, hearing of objections, publication of the final scheme under section 68(d) *ibid*, if it is approved by the hearing authority; cancellation of permits to private operators by the Regional Transport Officer concerned by issuing Notification under section 68(f), *ibid* and then finally taking over the route by the U.P. Government Roadways.

22. The categories of rewards for efficient performance and for reducing overall cost of operation of Roadways Services are as below:

##### A. For Drivers

1. Engine Reward, 2. Tyre Reward, 3. Battery Reward, 4. Efficiency Reward, 5. Special Cash Reward and 6. No Accident Reward.

##### B. For Technical Staff

1. Low Fuel Consumption Reward, 2. High Engine Life Reward, 3. High Tyre Life Reward, 4. Low Breakdown Reward, 5. Lowest Expenditure on Spare Parts Reward and 6. Lowest Expenditure on Technical Staff Reward.

Performance schedules entitling the staff for rewards and the extent of rewards are specified in Transport Commissioner's Circulars dated July 24, 1958 and January 22, 1963.

23. The technical staff includes—

##### A. Gazetted:

Service Managers, Assistant Transport Engineers, Chief Mechanical

(Continued on next page)

puty Transport Commissioner (Roadways-Operation) for non-technical staff.<sup>24</sup> The Roadways Establishment Section deals with establishment matters relating to gazetted officers and other staff for which powers of appointing and appellate authorities are vested in the Deputy Transport Commissioner (Roadways), the Deputy Transport Commissioner (Roadways-Operation) or the Transport Commissioner. The Roadways Disciplinary Section handles all matters involving disciplinary action against officials.

7. & 8. *Roadways Commercial Accounts Section and Accounts Section.* These sections are under the charge of Deputy Transport Commissioner (Accounts). Since the Roadways Organization is run as a Government department, though its functions are commercial in nature, the accounts of the Roadways are based on government-cum-commercial system of accounts. The Roadways Commercial Accounts Section deals with the maintenance of accounts on the double entry system and preparation of a balance sheet. It is one of its jobs to exercise vigilance over the trends contributing towards profit and loss in the operation of Roadways. The Roadways Accounts Section deals with budget matters, establishment of Accounts Officers, Assistant Accounts Officers and non-commercial Accountants in the Roadways Regions, etc., and travelling allowance of officers and staff of Roadways, allots funds and exercises financial control over the Roadways organization. Co-ordination of Government and Commercial Accounts is one of the important subjects dealt with here.

9. *Building Section.* This Section deals with matters relating to construction and maintenance of Roadways buildings under the charge of an Executive Engineer. Four Assistant Engineers posted at a few Regional headquarters supervise works locally.

### C. *Mixed Sections*

(They deal with work relating to both Roadways and non-Roadways Branches at the headquarters).

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(Continued from previous page)

Engineer, Group Engineers, Store Officer, Spare Parts Control Officer, Training Officer, Labour Welfare Officer and Store Superintendent.

#### B. *Non-gazetted:*

Store Keepers; Senior Foremen, Grades I and II; Junior Foremen, Electricians, Mechanics, Assistant Electricians, Driver Instructors and Store Superintendents.

#### 24. The non-technical staff includes—

##### A. *Gazetted:*

General Managers, Assistant General Managers and Administrative Officer.

##### B. *Non-gazetted:*

Traffic Superintendents, Station Superintendents, Station Master, Senior Station Incharges, Junior Station Incharges, Head Clerks and Cashiers.

10 & 11. *Establishment Section and Accounts Section.* These sections are under the charge of Deputy Transport Commissioner (Administration) who is also assisted by the Personal Assistant to the Transport Commissioner. The latter has drawing and disbursing powers. The Establishment Section deals with all administrative matters concerning the Transport Commissioner's headquarters office and the Regional Transport Branch. The Accounts Section deals with all account matters of the Transport Commissioner's headquarters office and that of the Regional Transport Branch (except the Enforcement Branch).

12. *Technical Section.* This Section comprises of four sub-sections, viz., (a) Vehicles, (b) Technical, (c) Motor Transport, and (d) Vehicles Control Order Sub-Sections. Vehicles Sub-Section deals with purchase of motor vehicles, Stores for Roadways and other departments of Government; allotment, transfer and repair of vehicles in surrendered pool, body fabrication and repairs of all government vehicles and supply of vehicles for relief work. Technical Sub-Section deals with the programmes of inspection by the Regional Inspectors (Technical) and their inspection reports. Both these Sub-Sections are under the charge of Deputy Transport Commissioner (Technical). Motor Transport Sub-Section deals with the purchases of vehicles, assemblies and spare parts for U.P. Government Roadways, stores verification in workshops, industrial accidents covered under Workmen's Compensation Act, technical drawbacks of Roadways vehicles and their performance, etc. It is under the charge of Deputy Transport Commissioner (Roadways), who is assisted by an Assistant Transport Commissioner (Technical) and a Stores Verification Officer. The Vehicles Control Order sub-section deals with allotment of cars, scooters, etc., out of Government quota and is under the charge of Deputy Transport Commissioner (Roadways-Development).

13. *Miscellaneous Section.* This Section, under the charge of Deputy Transport Commissioner (Roadways-Development), deals with telephones, purchase and sanction of all miscellaneous items such as furniture, typewriters, uniforms, stationery, etc., hiring of buildings for Roadways, approval of garages for undertaking repairs and maintenance of Government vehicles and inspection, repairs and condemnation of departmental vehicles. It has the assistance of a Technical Inspector for these jobs.

14. *Statistics Section.* This Section is responsible for collection, compilation and interpretation of statistical data of all branches of the Transport Commissioner's Organization as also that related to road transport in private sector<sup>25</sup> which help in proper planning, program-

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25. The private sector data relates to registration of motor vehicles, licensing of drivers of motor vehicles, number of various types of vehicles operating on valid permits, issue and renewal of road permits, fleet owners, licensing of conductors, road accidents, enforcement of the Motor Vehicles Acts and

ming and expansion of road transport facilities in public sector, preparation of reports and materials for publication, preparation of the Annual Administration and Progress Report and advertisements and is under the charge of Assistant Transport Commissioner (Roadways General).

15. *Central Receipts, Despatch, Record, Library, Reception, etc.* These are under the charge of Deputy Transport Commissioner (Administration) with a Head Assistant for the whole office.

#### *D. Tourism*

The promotion of tourism is closely associated with the provision of travel facilities and accordingly it has been associated with the Roadways Branch. In the districts, the work of Tourism is in the charge of General Managers, U.P. Government Roadways of various Regions. There are also six Regional Tourist Offices at Lucknow, Varanasi, Agra, Pauri, Naini Tal and Hardwar. The five main sectors which offer tremendous scope for promotion of Tourism in the State are the hill regions as pleasure and health resorts, places and monuments of historical importance, places of religious significance, Buddhist shrines and wild-life. The Section, which is under the charge of Deputy Transport Commissioner (Tourism) with a Publicity Officer, provides information and guidance about places of interest to tourists and arranges transport and accommodation for them. Low Income Group Hostels, known as Tourist Bungalows, exist at Agra, Varanasi, Ayodhya, Hardwar, Allahabad and Lucknow. Log Cabins have been constructed along the Himalayan pilgrim route and at beauty spots in Himalayas. There are rest-houses at Pandukeshwar, Changaria, Gauna, Birahi, Pawri (Kandoliya), Gwaldam, Lokpal, Phurkia, Osla, Agora, Mala, Sukhi, Bhaironghati, Gangotri, Hanumanganga, Yamnotri, Kapkote, Cheena Peak (Naini Tal), Sahastradhara (Dehra Dun), Tarikhet (Almora), Kampil (Farrukhabad), Bhim Tal, Kathgodam, Lansdowne, Wyndham (Mirzapur), Tanda (Mirzapur), Astabhuj, Shitlakhet and Chinhat (Lucknow). A transit camp is run at Langham House, Naini Tal during summer season.

10.4.9. The Intelligence and Evaluation Cell for Transport Department, referred to earlier in paragraph 10.4.6. had made certain proposals for reorganization and rationalization of work in the office of the Transport Commissioner, U.P. with a view to achieving the ideal of greater efficiency, productivity and prompt disposal of business. The Government [Transport (A) Department] appointed on

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Rules, Road Tax and fees realized under U.P. Motor Vehicles Taxation Act and Rules, 1935; revenue realized under Motor Vehicles Act, 1939 and Rules framed thereunder. The public sector data covers information relating to fleet of vehicles, routes under operation, routewise income and kilometreage, staff, fuel consumption; breakdowns, accidents, punctuality of operation, complaints, checking by officers, vehicle utilisation, operation of depots, retrieving and reconditioning of parts in workshops, etc.



that suggestion a Committee<sup>26</sup> in June, 1967 to study the problem, which submitted its report in June, 1969. It considered all aspects of the matter, as well as the question of bifurcation of Transport Commissioner's Office into Roadways and non-Roadways Branches. The Masani Committee appointed by the Government of India on Re-organization of Road Transport had also earlier recommended that the operation of State Road Transport Undertakings and the administration and enforcement of motor vehicle laws should be independent of each other. The combined working of both the branches of Transport organization had also come in for a criticism on legal grounds, as well as principles of natural justice. It was also noticed that the whole organization had expanded considerably and combined functioning had led to deterioration in efficiency and delay in disposal of work. It had adversely affected the working of U.P. Government Roadways which has to be run on commercial principles and practices. The Committee had, therefore, recommended that the Transport Commissioner's headquarters office might also be bifurcated into two separate departments i.e., Roadways and Non-Roadways Departments each under charge of a Senior Deputy Transport Commissioner of the respective Branch under overall control of the Transport Commissioner. The Non-Roadways, being a negative nomenclature, might be called 'Parivahan Vibhag' or Transport Department, which should be concerned with the work of State Transport Authority, Regional Transport Authorities, passenger tax and goods tax, administration of motor vehicle laws, Enforcement Branch and the private sector of transport. Similarly, Roadways Department should be concerned only with the U.P. Government Roadways. The recommendations, too numerous to be mentioned in detail, also provided for clear division of staff at the headquarters office into the afore-said two departments, thus doing away with its interchangeability. The proposed Transport Department was to have Transport Control (including Statistical Cell), Tax, Establishment, Accounts and Technical Sections and a General Administration Section for house-keeping and Enforcement work. The proposed Roadways Department was to consist of various branches and sections, viz., General Administration Section for usual house-keeping jobs, Establishment and Operation Branch consisting of Establishment, Disciplinary, Traffic and Operation, Labour Affairs and Public Relations Sections; Engineering and Stores Section, Planning and Development Sections; Finance, Audit and Accounts Branch consisting of Accounts and Commercial Accounts Sections; Statistics and Operational Research Section; Management Audit, Evaluation and O&M Branch; Legal Affairs and Litigation Branch and Building Section.<sup>27</sup>

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26. The Committee consisted of Sri B.S. Verma, Officer on Special Duty, Intelligence and Evaluation Cell, Chief Inspector of Government Offices, U.P., Allahabad and Sri Jagdeo Gupta, Officer on Special Duty (O&M), General Administration (Reorganization) Department.

27. The recommendations of the Committee were under consideration of Government when the book was in the press.

## THE REGIONAL TRANSPORT ORGANIZATION

10.4.10. The Regional Transport Organization comprises of ten Regions with headquarters at Lucknow, Allahabad, Kanpur, Varanasi, Gorakhpur, Bareilly, Agra, Meerut, Dehra Dun and Naini Tal, each under a Regional Transport Officer, who is assisted by Assistant Regional Transport Officer (Administration) at the headquarters. A Sub-Regional Transport Officer for Lucknow Region is at Faizabad and there is one for Kanpur Region at Jhansi. Each of these Sub-Regional Offices is under the charge of an Assistant Regional Transport Officer. The Regional Transport Officer is Member-Secretary of the Regional Transport Authority. He and the Assistant Regional Transport Officers are delegated powers of the Registering Authority and Licensing Authority under the Motor Vehicles Act, 1939, and the U.P. Motor Vehicles Rules, 1940, and the powers of Taxation Officer under the U.P. Motor Vehicles Taxation Act and Rules, 1935. They are also authorised to issue temporary permits. The Regional and Assistant Regional Transport Officers and Regional and Assistant Regional Inspectors (Technical) make tours in accordance with programmes notified in advance. During these tours, they inquire into complaints and traffic problems. These tours also enable the public to pay road tax, have their vehicles inspected and to procure driving licences without visiting the Regional headquarters.

10.4.11. The activities of the Regional Transport Organization are broadly divided into three Branches—the Administration Branch, the Technical Branch and the Enforcement Branch, each under the charge of an Assistant Regional Transport Officer.

(i) *Administration Branch* deals with issue and renewal of motor licences of drivers and conductors, registration of vehicles, collection, issue and renewal of permits of plying vehicles, classification and notification of routes, accounts and general administration of the Regional Transport Office.

(ii) *Technical Branch* attends to the work of inspection of public service vehicles by Technical Inspectors (for government vehicles) and Regional and Assistant Regional Inspectors (Technical) (for private vehicles and those belonging to Government Roadways) for the grant of Fitness Certificates and test of candidates for the issue of driving licences.

(iii) *Enforcement Branch* of the Regional Transport Organization, under the charge of an Assistant Regional Transport Officer (Enforcement), is charged with the implementation and control of the provisions of the Motor Vehicles Act, 1939, the U.P. Motor Vehicles Rules, 1940, the U.P. Motor Vehicles Taxation Act and Rules, 1935, and the U.P. Motor Gadi (Yatri Kar) Adhiniyam and Niyamawali, 1962 [U.P. Motor Vehicle (Passenger Tax) Act and Rules 1962] and the U.P. Motor Gadi (Mal Kar) Adhiniyam and Niyamawali, 1964 [U.P. Motor Vehicle (Goods Tax) Act and Rules, 1964]. The field agency for this work is an Enforcement Squad. Twenty-two such Squads were working in the State in 1969. In

addition to ten Assistant Regional Transport Officers (Enforcement) in the Regions, there is one Assistant Regional Transport Officer (Enforcement) each at Sitapur (Lucknow Region), Jhansi (Kanpur Region), Moradabad and Najibabad (both in Bareilly Region) and at Aligarh (Agra Region). Passenger Tax Officer and Goods Tax Officer posted at each Regional headquarters attend exclusively to the administration of the respective taxation Acts and rules with the help of Tax Superintendents. The Regional Transport Officers, the Assistant Regional Transport Officers and the Assistant Regional Transport Officers (Enforcement) are also delegated similar powers under Motor Vehicles Act, 1939, as are delegated to the Transport Commissioner and Deputy and Assistant Transport Commissioners.

10.4.12. There are six Regional Transport Magistrates in the State with headquarters at Lucknow, Kanpur, Varanasi, Bareilly, Agra and Meerut, who try offences relating to transport vehicles. There is an Assistant Public Prosecutor attached to each magistrate and they work under the control of the respective Regional Transport Officers. The Regional Transport Magistrates also hold courts by circuit as mentioned below in accordance with programmes notified in advance.

*Names of places where Regional Transport Magistrates hold courts*

*Districts in jurisdiction*

Varanasi (Headquarters)	Varanasi, Ghazipur, Ballia, Jaunpur and Azamgarh.
Allahabad	Allahabad, Mirzapur and Pratapgarh.
Gorakhpur	Gorakhpur, Deoria, Basti, Gonda and Bahraich.
Agra (Headquarters)	Agra, Mathura and Mainpuri.
Aligarh	Aligarh, Bulandshahr and Etah.
Kanpur (Headquarters)	Kanpur, Farrukhabad, Fatehpur and Etawah.
Jhansi	Jhansi and Jalaun.
Mahoba	Hamirpur and Banda.
Meerut (Headquarters)	Meerut.
Muzaffarnagar	Muzaffarnagar.
Saharanpur	Saharanpur.
Dehra Dun	Dehra Dun, Uttar Kashi, Chamoli and Tehri Garhwal.
Bareilly (Headquarters)	Bareilly, Budaun, Pilibhit and Shahjahanpur.
Haldwani	Nainital, Almora and Pithoragarh.
Moradabad	Moradabad and Rampur
Najibabad	Garhwal and Bijnor.
Lucknow (Headquarters)	Rae Bareilly, Unnao, Lucknow and Bara Banki.
Faizabad	Faizabad and Sultanpur.
Sitapur	Lakhimpur-Kheri, Sitapur and Hardoi.

### THE U.P. GOVERNMENT ROADWAYS

10.4.13. The U.P. Government Roadways operate both rural and city bus services. They also provide buses for special occasions. Efforts are being made to accomplish rail-road co-ordination through

the Roadways by taking over economical routes for operation, keeping in view train timings and by establishing out-agencies. These out-agencies provide facilities for the purchase of tickets for journeys partly by the Roadways buses and partly by the railway trains. Rail-road co-ordination on routes served by private operators is effected by enforcing strictly the classification of routes by the Regional Transport Authority and their approval by the State Transport Authority. The organization of U.P. Government Roadways has twelve Regions with headquarters at Lucknow, Kanpur, Varanasi, Allahabad, Agra, Aligarh, Bareilly, Meerut, Nainital, Gorakhpur, Dehradun and Tanakpur each under the charge of a General Manager. There is a Roadways Central Workshop at Kanpur under the charge of a Chief Mechanical Engineer.

10.4.14. Under the overall control of the General Manager, the activities of a Roadways Region are divided into four branches, viz., (i) General Administration which also deals with establishment matters and other house-keeping jobs, (ii) Traffic and Operation which also deals with labour affairs, planning and development, statistics, etc., (iii) Cash, Audit and Accounts and (iv) Engineering and Stores. The first two Branches are under the direct supervision and control of the General Manager while the Cash, Audit and Accounts Branch is supervised by an Accounts Officer (with Assistant Accounts Officers in a few Regions) and the Engineering and Stores Branch is supervised by a Service Manager. Both these officers are, as a matter of fact, branch officers under the General Manager. Matters regarding Tourism are also taken care of by the General Manager, who is assisted at a few places by Regional Tourist Officers. The Roadways Regions are divided into Sub-Regions for operation of services. Each Sub-Region is under the charge of an Assistant General Manager (Traffic) who is responsible for smooth operation and efficient running of services, investigation and elimination of public complaints and accidents and undertaking of traffic surveys. The Assistant General Manager (Traffic) is assisted by a Traffic Superintendent who, apart from supervising the work of Assistant Traffic Inspectors, looks after all traffic problems and operation of services.

10.4.15. A Sub-Region of the Roadways consists of one or more Depots. A Depot is an administrative and operational unit, which is viable from the point of view of administration, accounting convenience, economy in operation, maintenance of vehicles and preparation of Depot Operational Accounts. It controls operation of such number of vehicles as may be prescribed from time to time. The Depot In-charge, whether a Station Superintendent or Senior Station In-charge depending upon the size and extent of operation of a Depot, is the head of the Depot. He is responsible for smooth, efficient and economic operation of services. The functional organization of a Depot is on the lines of a Region and provides for general administration, traffic and operation, cash, accounts and audit (including commercial accounts and statistics) and workshop stores. Except for the general administration, the remaining branches of a Depot function shift-wise to suit the need of bus operation. The Depot In-

charge is assisted by such number of Senior Station In-charges and Junior Station In-charges as may be necessary having regard to the size and extent of operation of a Depot; a Senior or Junior Foreman who is in-charge of the Depot workshop; a Store-keeper in-charge of the Stores Section of the Depot and a Commercial Accountant who functions as in-charge of cash accounts and audit. Booking Offices are opened at Depot Stations, Sub-Depot Stations and Bus Stations according to necessity and convenience of passengers having regard to the routes operated therefrom. Such booking offices function under the supervision of the Depot In-charge, Sub-Depot In-charge or Bus Station In-charge. There are also booking offices at other out-lying stations which may be under the charge of a Junior Station In-charge or under a Booking Clerk depending upon the extent of bus services booked at such booking offices. Depot stations are usually provided with Booking Clerks, Office Assistants, Ledger Clerks, Assistant Cashiers and Class IV staff according to their requirements.

### REGIONAL WORKSHOPS AND MAINTENANCE DEPOTS

10.4.16. Each Region has a Regional Workshop and a number of maintenance depots for repair and maintenance of vehicles. Regional Workshops undertake major renovation, repairs and maintenance of vehicles after they have covered one lakh kms, repairs to vehicles involved in accidents and reconditioning of units. The maintenance Depots undertake preventive maintenance according to maintenance schedules drawn up in advance. The Service Manager, assisted by an Assistant Transport Engineer or Assistant Service Manager in a few Regions, is responsible for the efficient working of the Workshops and Stores Organization in the Region, economy in the consumption of fuel and lubricants and control over labour. He has also under him a Senior Foreman, Grade I, and a Stores Superintendent for the Regional Workshop and a Senior or a Junior Foreman for each Depot Workshop.<sup>28</sup>

### THE ROADWAYS CENTRAL WORKSHOP AND CENTRAL STORES, KANPUR

10.4.17. The Roadways Central Workshop, along with the Central Stores Organization, at Kanpur under the charge of a Chief Mechanical Engineer undertakes the manufacture of bus bodies, reconditioning of engines and other assemblies, retrieving of spare parts, retreading of tyres and renovation of vehicles. The Production Branch of the Central Workshop consists of two Group Engineers, Assistant Transport Engineers, a Production Engineer along with numerous Foremen and other Workshop staff. The Workshop consists of a Time Office, dispensary, a laboratory and a drawing office

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28. The other staff for a Workshop includes Mechanics, Assistant Mechanics, Fitters (Electrical and Mechanical), Electricians, Assistant Electricians, Painters, Welders, Tin Smith, Upholsterer, Carpenter, Black-smith, Hammerman, Vulcanizer, Assistant Vulcanizer, Store-Keeper, Assistant Store-Keeper, Store Clerk, Cleaners, Chowkidars, etc.

along with the usual office and Security staff. Arrangements for training of Apprentices under the Apprentices Act, 1961, exist under an officer of the rank of Service Manager. The Accounts Branch of the Workshop under an Accounts Officer, with two Assistant Accounts Officers, supervises the workshop accounts including the Stores accounts. The Stores procurement, management and distribution to consuming units, including quality control over materials produced and control over consumption of spare parts and life expectancy of various major assemblies, is supervised by a Stores Officer, a Spare Parts Control Officer, a Stores Verification Officer, Stores Superintendent and a Receipt and Despatch Superintendent for vehicles, assemblies, materials, stores, etc. The Stores Branch handles stores worth about Rs. 3.5 crores.

10.4.18. All employees working in Technical and Operational Branches of the Roadways, except supervisory staff in these Branches and the administrative staff, are governed in the matter of hours of work, weekly rest, holidays, leave, payment of overtime, etc., by the Factories Act, the Motor Transport Workers Act and other labour laws. Government appointed in January, 1968 an *ad hoc* Committee<sup>29</sup> for examining the position of staff in the U.P. Government Roadways, including the Roadways Central Workshop, Kanpur. The Committee had to consider all aspects of the problem and suggest how much staff was to be retained in or given to various Roadways Regions for running the existing services properly and economically. It had also to keep in consideration the expected increase in the staff requirements consequent on increase in the number of routes for which there was a growing demand, increase in the number of operations consequent on the improvement in traffic as a result of a normal rate of development, increase in work load on account of streamlining and re-organizational measures relating to accounts, stores, Depot and Regional Workshop and Central Workshop; strengthening of the internal checking of the Roadways by having Mobile Squads at the headquarters and re-organization of the Roadways Regions. The Committee submitted its report in December, 1968.

#### HIND FLYING CLUB LTD.

10.4.19. The Hind Flying Club Ltd., Lucknow, has its branches at Kanpur and Varanasi. The Club is at present being managed by an Administrator appointed by the Government. The Chief Pilot Instructor of the Club acts as Government Pilot as well.

10.4.20. Some of the important Councils and Committees of the Government of India with which the Department is concerned are the Transport Development Council of which the State's Minister for Transport is *ex-officio* Member, Committee on Transport Policy and

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29. The members of this Committee were Sri A.P. Jain, Under Secretary, Finance Department; Sri Jagdeo Gupta, Officer on Special Duty (O&M), General Administration (Reorganization) Department and Sri B.S. Verma, Officer on Special Duty, Intelligence and Evaluation Cell for Transport Department.



Co-ordination, Road Transport Taxation Inquiry Committee and Road Transport Financing Committee. The important State Boards, Committees, Councils, etc., are as follows:

1. *The U.P. Government Roadways Board.* This Board was set up in 1951 with a view to securing speedier disposal of cases relating to the U.P. Government Roadways with the Chief Secretary to Government as Chairman; an officer of the Finance Department not lower in rank than a Joint Secretary to be nominated by the Minister of Finance, Secretary to Government in Transport Department, and Transport Commissioner as Members and an officer of the Transport Department to be nominated by the Minister of Transport as its Member-Secretary. The constitution of the Board was modified in 1952 to the effect that its meetings were to be presided over by the Minister of Transport. All cases relating to the U.P. Government Roadways having a financial bearing were to be put up to this Board for decision and the Board was empowered to dispose of cases finally which required the orders of Government, except the cases in which the orders of the Chief Minister or the Council of Ministers were necessary. The Board remained a defunct body for a long time, but it was revived recently.

2. *The U.P. Tourist Council.* The Uttar Pradesh Tourist Council, with the Minister for Transport as Chairman, the Transport Commissioner as Secretary and other members has been set up to deal with all matters relating to promotion and development of tourism in the State.

3. *The Standing Committee of Legislature.* The Standing Committee of Legislature on Transport, composed of members from the two Houses of the State Legislature, tenders advice to Government on all matters concerning the Transport Department.

4. *The State Transport Authority.* The State Transport Authority with the Transport Commissioner as Chairman and the Deputy Transport Commissioner (Administration) as *ex-officio* Secretary and five other members is constituted by the State Government under Section 44 of the Motor Vehicles Act, 1939 for discharging functions specified in Sub-Section (3) of said Section.

5. *The Government Transport Tribunal.* A Tribunal composed of the Legal Remembrancer to Government, Uttar Pradesh and the Secretary to Government, U.P., Transport Department, hears appeals against the orders of the State Transport Authority under rule 71 of U.P. Motor Vehicles Rules, 1940.

6. *The Regional Transport Authorities.* Ten Regional Transport Authorities with the Commissioners of the Divisions as Chairmen and the Regional Transport Officers as *ex-officio* Secretaries and three other non-official members have been constituted by the Government under Section 44 of the Motor Vehicles Act, 1939 for each Region of the Regional Transport Branch. The Regional Transport Authority exercises powers and discharges functions as are conferred

by or under the Motor Vehicles Act, 1939 and the U.P. Motor Vehicles Rules, 1940.

7. *The State Transport Tribunal.* Appeals against orders of Regional Transport Authorities are decided by a Tribunal consisting of members of the Board of Revenue.

8. *The Regional Advisory Committee.* A Regional Advisory Committee is established by Government under Section 15 of the U.P. Road Transport Services (Development) Act, 1955 for each Region of U.P. Government Roadways. It makes recommendations on matters affecting the efficiency of services operated by the U.P. Government Roadways and convenience of the public.

#### Acts, Rules and Manuals

<i>Sl. No.</i>	<i>Name of Act, Rule and Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
<i>Acts</i>			
1.	U.P. Motor Vehicles Taxation Act	1935	State Government.
2.	Motor Vehicles Act	1939	Government of India, Ministry of Transport & Communications, Transport Department.
3.	U.P. Road Transport Services (Development) Act	1955	State Government.
4.	Transport Workers' Act	1961	Government of India.
5.	U.P. Motor Gadi (Yatri Kar) Adhiniyam [U.P. Motor Vehicles (Passenger Tax) Act]	1962	State Government.
6.	U.P. Motor Gadi (Mal Kar) Adhiniyam [U.P. Motor Vehicles (Goods Tax) Act]	1964	State Government.
<i>Rules and Manuals</i>			
7.	U.P. Motor Vehicles Rules	1940	State Government under various sections of the Motor Vehicles Act.
8.	Motor Vehicles (Third Party Insurance) Rules.	1946	Government of India, Section 111 of the Motor Vehicles Act.
9.	U.P. State Road Transport Services (Development) Rules.	1958	State Government under Chapter IV A of the Motor Vehicles Act.
10.	U.P. Motor Vehicles Tax Rules	1935	} U.P. Motor Vehicles Taxation Act.
11.	U.P. State Transport Rules	1951	
12.	U.P. Road Transport Services (Development) Rules.	1955	State Government under the Road Transport Services (Development) Act.
13.	Manual of Accounts of the U.P. Government Roadways	1953	State Government.
14.	Manual of Commercial Accounts		State Government.
15.	U.P. Motor Gadi (Yatri Kar) Niyamawali [U.P. Motor Vehicles (Passenger Tax) Rules]	1962	State Government.

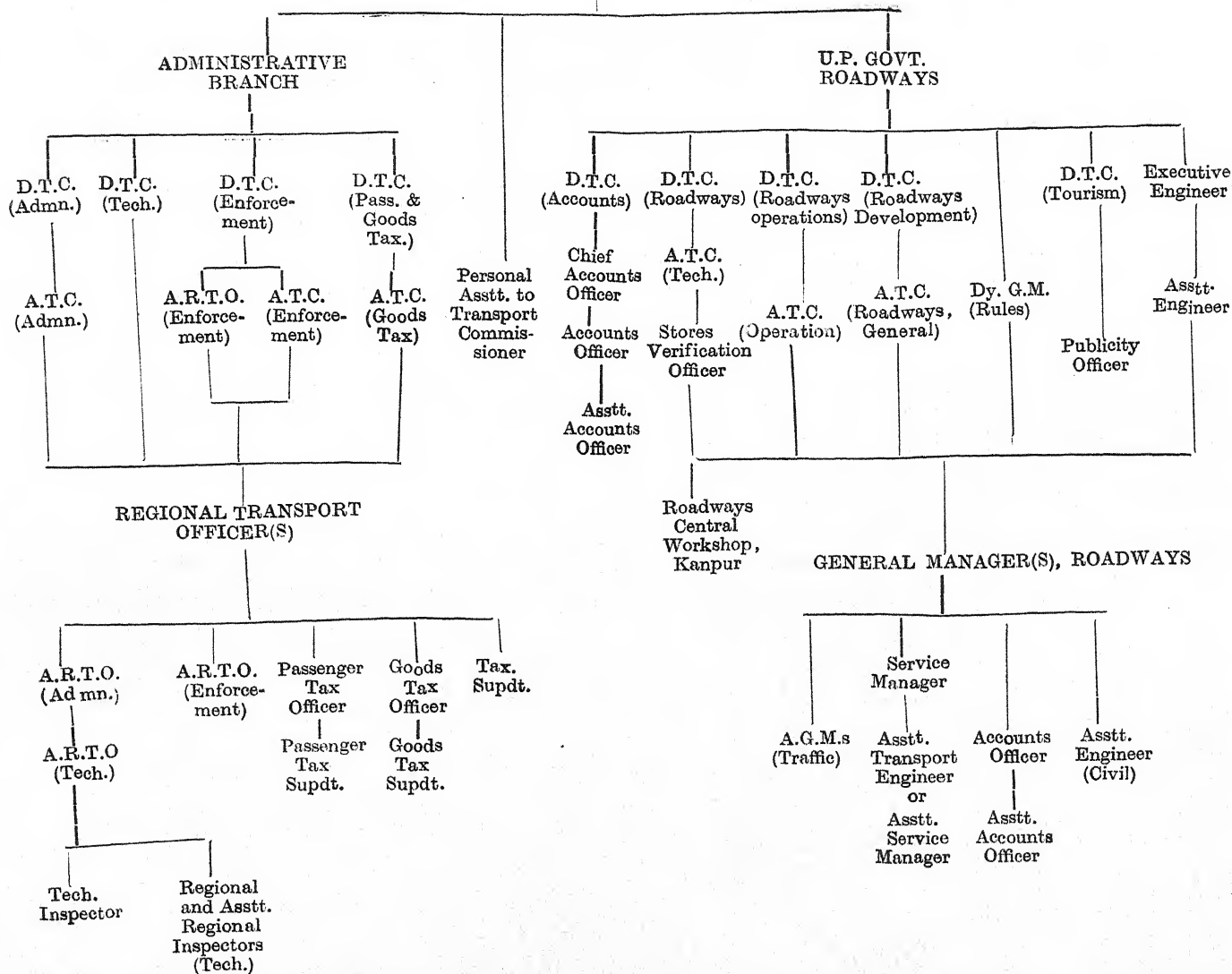
<i>Sl. No.</i>	<i>Name of Act, Rule and Manual</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
16.	U.P. Motor Gadi (Mal Kar) Niyamawali [U.P. Motor Vehicles (Goods Tax) Rules]	1964	State Government.
17.	Motor Car (Distribution and Sale) Control Order	1959	Government of India.
18.	Scoter (Distribution and Sale) Control Order	1960	Government of India.
19.	Commercial Vehicles (Distribution and Sale) Control Order	1963	Government of India.
20.	U.P. Motor Accidents Claims Tribunal Rules	1967	State Government under Section 111 A of Motor Vehicles Act, 1939.

#### Annual Administration Report

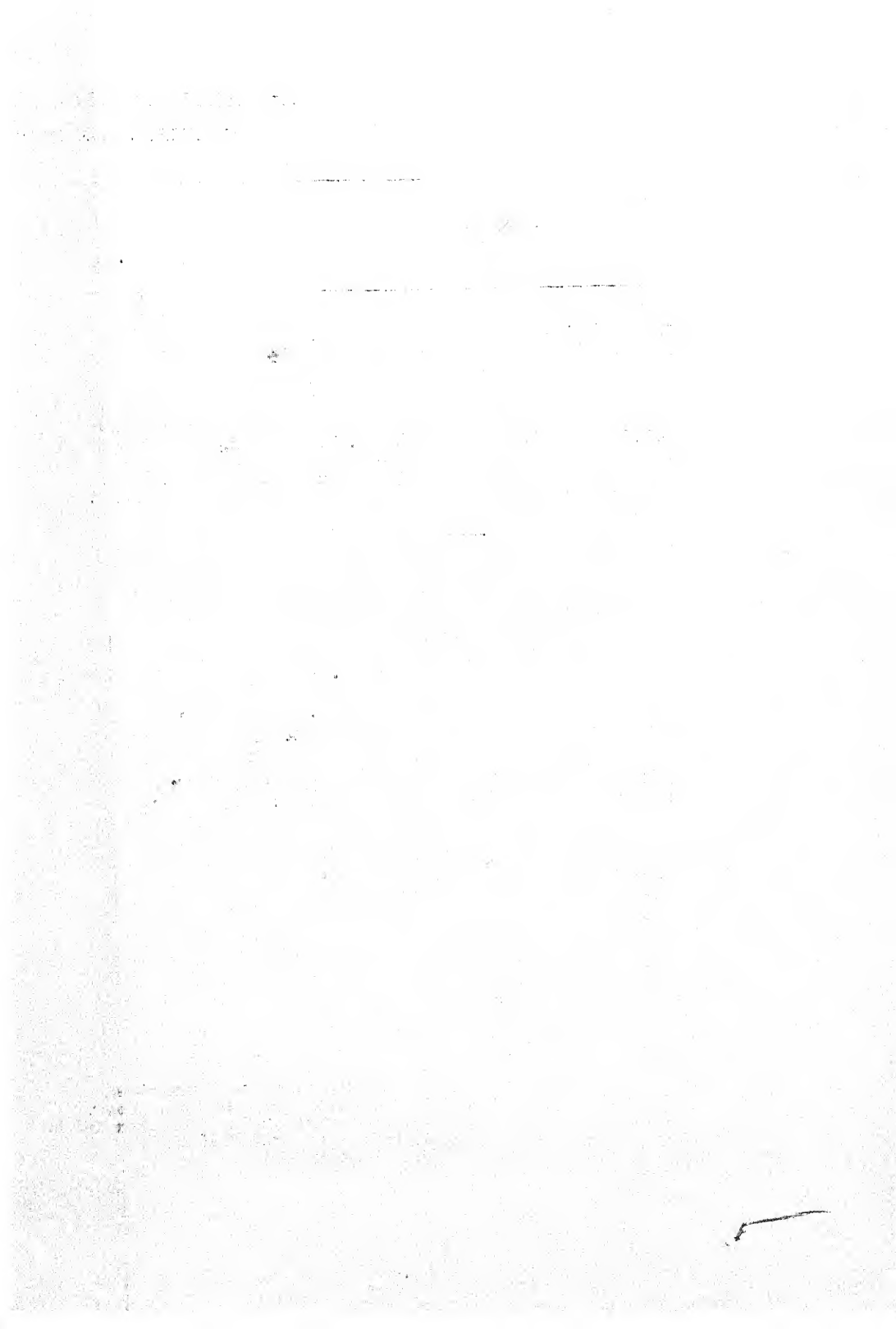
<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Administration & Progress Report of Transport Department, U.P.	April-March	1950	Transport Commissioner, U.P.

# Organization Chart of the Transport Department

## TRANSPORT COMMISSIONER



D.T.C. : Deputy Transport Commissioner.  
 A.T.C. : Assistant Transport Commissioner.  
 A.R.T.O. : Assistant Regional Transport Officer.  
 Dy. G.M. : Deputy General Manager.  
 A.G.M. : Assistant General Manager.



## 10.5. LOCAL SELF-GOVERNMENT, MUNICIPAL, HOUSING AND TOWN AND COUNTRY PLANNING DEPARTMENTS

10.5.1. The earliest municipal administration in urban areas under the British rule was initiated for the purpose of making watch and ward arrangements through ward committees which were empowered under Regulation XVI of 1814 to levy and collect a tax on houses and lands for defraying the expenses. Act XV of 1837 empowered these committees to utilize savings from the *chowkidari* tax for town improvement. This was followed by Act X of 1842 providing for the formation of local committees to make better provisions for purposes connected with public health and conveniences and to levy a house tax in pursuance of this object and then by the Municipal Act of 1850 applicable to the whole country under British rule, which repealed earlier Acts and was applied to places generally inhabited by Europeans, viz., Lucknow, Dehradun, Mussoorie and Naini Tal. For Lucknow, a special enactment called the Lucknow Municipal Act was passed in 1864. It could be extended to other towns also and was applied to Faizabad almost immediately but was later superseded by the Punjab Municipal Act of 1867, which was applicable here too and under which thirteen more municipalities were constituted in the area then known as 'Oudh'. Simultaneously, the North Western Provinces Municipal Improvement Act of 1868 provided for the constitution of municipalities in the remaining area and the Act was gradually applied to all district headquarters and selected mofussil towns. An impetus to the development of local self-Government was given by Lord Mayo's Resolution of 1870 which resulted in a common legislation for the State, viz., the Municipalities Act, 1873, by retaining mostly the provisions of the Act of 1868, but liberalising the constitution of municipal committees by an extension of the elective principle. The development was accelerated by the Resolution dated May 18, 1882 during Lord Ripon's regime which resulted in the enactment of the N.W. Provinces and Oudh Municipalities Act, 1883, providing for the constitution of municipal boards on a more representative principle than before, since it stipulated that official or nominated members were not to exceed one-fourth of the total membership. The Boards were empowered to elect their chairmen and vice-chairmen, but in practice the official chairmen were generally retained. Arrangements for providing safe water supply and drainage in a few of the big towns were also started in 1894. The Act was subsequently replaced by the N.W. Provinces and Oudh Municipalities Act, 1900, a notable provision of which was the establishment of notified areas to provide for smaller towns and semi-rural communities with a population up to 10,000 persons a simpler form of local administration. Originally, the administration including taxation in such areas, was wholly controlled by the Government. This was, however, done away with by the enactment of the U.P. Municipalities Act, 1916, which still continues to regulate the formation and administration of Municipal Boards and Notified Areas in the State.



A separate legislation for controlling the affairs of town areas was in the meantime enacted in the name of U.P. Town Areas Act, 1914. Earlier, the affairs of these town areas were controlled under Act X of 1842 followed by the Bengal Chaukidari Act, 1856, provisions of which were extended to the N.W. Provinces and Oudh by the Laws Local Extent Act, 1874 and the Oudh Laws Act, 1876. Not much progress in the field of local self-Government was, however, made until the enforcement of the Government of India Act, 1919, when 'Local Self-Government' became a 'transferred' subject. Soon afterwards, the U.P. District Boards Act, 1922, was enacted for the setting up of these Boards for rural areas of districts as counterpart of the municipal board for a town. These were ultimately converted in 1963 into Zila Parishads with Kshettra Samitis and Gaon Panchayats as their subordinate units, fuller details about which have been given in Chapter 8.5 on Panchayati Raj Department.

10.5.2. Municipal administration has been largely based on the U.P. Municipalities Act, 1916, which divides the executive authority between the elected members and permanent officials of a municipality. It was felt that this divided responsibility was not working satisfactorily particularly in the larger towns, where problems of civic administration had assumed greater importance and had become more complex. Municipal Corporations (*Nagar Mahapalikas*) in the five major cities of the State, viz., Agra, Allahabad, Kanpur, Lucknow and Varanasi were, therefore, established with effect from February 1, 1960 by the enactment of the U.P. *Nagar Mahapalika Adhiniyam* (Municipal Corporations Act), 1959. With a view to bring about unified civic administration in these places, the Development Board at Kanpur and the Improvement Trusts at the remaining places were merged along with the Municipal Boards to form these Corporations which combine the functions of these two local bodies.

10.5.3. By section 69-B of the U.P. Municipalities Act, 1916 and section 112-A of the *U.P. Nagar Mahapalika Adhiniyam*, 1959, power was conferred on the State Government to make rules for centralisation of any services and posts in *Mahapalikas* and Municipal Boards. Most of the important services and posts of both types of local bodies have since been centralised with effect from July 9, 1966, under the U.P. Palika (Centralised) Services Rules, 1966. These Rules are common to all the Corporations and Municipal Boards of the State and regulate recruitment through the Public Service Commission and otherwise, and the conditions of service of persons appointed in these local bodies. One of the chief reasons behind the centralisation was that these officers and employees should not remain at a particular place for such a length of time as to be tempted to dabble in local politics. State Government can transfer any officer of the Centralised Services from one Municipal Board or Corporation to other Municipal Board or Corporation. A Commissioner of Division can transfer any officer, other than the officers of the centralised superior services, from one local body to another within his Division and a local body can also seek the transfer of any officer of

the Centralised Services by passing a special resolution to that effect by a majority vote of two-thirds of the members constituting the local body.

10.5.4. Modern town planning in Uttar Pradesh dates back to 1915 when the then Lucknow Municipal Board invited Patrick Geddes, an eminent British Sociologist and Town Planner, to advise them on some of their town planning schemes. This led to the constitution of an 'Improvement Committee' in 1918 under the Presidentship of the then Commissioner of Lucknow Division to formulate proposals for improvement and development of the city. This paved the way for the enactment of the first U.P. Town Improvement Act, 1919, which formed the basis for statutory town planning in this State. Improvement Trusts were established at Kanpur, Lucknow and Allahabad to deal with the town planning and town improvement schemes of the three cities. The provisions of this Act were, however, considered inadequate to cope with the special town planning problems confronting the industrial city of Kanpur and therefore to meet the situation, Government decided to establish a broad-based Development Board for the city and enacted the Kanpur Urban Area Development Act, 1945. Improvement Trusts at Agra and Varanasi were set up later in 1949 by modifying the provisions of the U.P. Town Improvement Act, 1919, in its application to these two cities through the enactment of the U.P. Town Improvement (Adaptation) Act, 1948. To this list were added the Improvement Trusts at Ghaziabad in July, 1960; at Bareilly, Dehra Dun, Gorakhpur and Meerut in March, 1963; at Saharanpur, Moradabad, Aligarh and Faizabad in December, 1964 and at Shahjahanpur and Jhansi in March, 1965. The modifications to the Act of 1919 contained in the Schedule to the Act of 1948, which could be applied by the State Government to any Improvement Trust with necessary adaptations, were all of important nature and it was felt that they should apply uniformly to all Improvement Trusts. The Act of 1919 was, therefore, amended suitably through the U.P. Local Self-Government Laws (Amendment) Act, 1966 and the Act of 1948 was repealed.

10.5.5. It is recognised at all hands that there is a definite trend towards urbanisation in the country and that there is imperative need for conscious planning of urban human settlements if it is desired that they may function as efficient places for economic pursuits. The Town and Country Planning Department, originally set up in 1947, when it was known as Town and Village Planning Organization, to prepare Master plans for cities, towns and villages, also carries out the required physical, socio-economic and other surveys. A Master Plan, which guides the future development of a town 'according to a preconceived pattern based on detailed study of existing conditions of the town and its future needs', indicates the major lines of communication and sectors for industrial, commercial, residential, recreational, cultural and other urban uses. This Master Plan, after it is approved by the Government, is implemented in two ways,—(a) by regulation and control of building operations and (b) by positive action for

development. The work regarding regulation and control of building operations according to the Master Plan is entrusted to the Prescribed Authorities set up for those 'Regulated Areas' under the U.P. (Regulation of Building Operations) Act, 1958. This Act has been applied to KAVAL cities viz., Kanpur, Allahabad, Varanasi, Agra and Lucknow and a number of other cities, towns and regions, viz. Meerut, Ghaziabad, Garhmukteshwar, Saharanpur, Dehra Dun, Firozabad, Bazpur, Kichha, Rudrapur, Pithoragarh, Badrinath, Gopeshwar, Gorakhpur, Jhansi, Ram Nagar-Moghalsarai Region, Hardwar-Rishikesh-Jwalapur-Region and Rihand Region. The *Mukhya Nagar Adhikaris* or Administrators of *Nagar Mahapalikas* in KAVAL cities have been appointed Prescribed Authorities under the said Act. Similarly, Administrator, Improvement Trust and Municipal Board, Ghaziabad is Prescribed Authority for that area. A whole-time officer has been appointed Prescribed Authority for Rihand Region. In other cities and towns the work of Prescribed Authority has been entrusted to the District Magistrates or Sub-Divisional Magistrates. The positive action for implementation of proposals contained in a Master Plan is generally the responsibility of the local Municipal Corporation, Municipal Board or Improvement Trust and Government and semi-Government organizations, who are expected to plan their future programmes of city expansion, housing, road construction, provision of civic services, educational, recreational and hospital facilities, etc., in conformity with the Master Plan. A Housing and Development Board was also set up with effect from April 1, 1966 under the U.P. *Avas Evam Vikas Parishad Adhiniyam* (U.P. Housing and Development Board Act), 1965, to prepare and implement housing, slum clearance and improvement schemes in different cities of the State.

10.5.6. The working of various enactments, which are administered by the Local Self-Government Department had revealed certain shortcomings in the existing provisions. Suitable amendments in all those Acts were made by means of the U.P. Local Self-Government Laws (Amendment) Act, 1966. It had also been a general complaint from the public that, if they wanted to erect, re-erect or alter a building in a regulated area declared as such under the U.P. (Regulation of Building Operations) Act, 1958, they had to take permission from two separate authorities, namely, from the local body concerned and from the Prescribed Authority appointed under the said Act. In order to remove this hardship, the relevant provisions of the U.P. Town Improvement Act, the U.P. *Nagar Mahapalika Adhiniyam*, the U.P. Municipalities Act and the U.P. *Kshettra Samitis and Zila Parishads Adhiniyam*, 1961, as were applicable in such regulated areas were suspended through the U.P. Local Self-Government Laws (Amendment) Act, 1966.

10.5.7. At the Secretariat level the Local Self-Government Branch came into existence on the introduction of 'diarchy' under the Montagu-Chelmsford Reforms for dealing with the two 'transferred' subjects of Local Self-Government, (which also included District Boards) and Medical and Public Health in Local Self-Government

Department (for District Boards), Municipal Department and Medical and Public Health Department. In 1941, a separate Public Health Department was created, which also looked after the administration of Notified and Town Areas, Improvement Trusts and Public Health Engineering Department. In 1948, a new section was carved out of the old Municipal Department and the two resulting sections were styled Municipal (A) and Municipal (B) Departments. Soon thereafter a need was also felt for separating the Medical and Public Health Departments from the Local Self-Government Branch and forming them into a new Medical and Public Health Branch under a separate Secretary. It was at this stage that the work relating to Improvement Trusts, Notified and Town Area Committees and Public Health Engineering Department, later known as Local Self-Government Engineering Department, was taken out of the Public Health Department and entrusted to Municipal (B) Department. After the enactment of the U.P. Panchayat Raj Act, 1947, there also came into existence in 1948 a Panchayat Raj Department in the Local Self-Government Branch of the Secretariat, which also functioned as the Directorate of Panchayats. The Directorate was, however, separated from the Secretariat in 1952 and the same year, as a result of increased activities in legislative matters on account of the Corporation Bill and work relating to reorganization of District Boards, a new Local Self-Government (Legislation) Department was added to the Branch. The activities, however, continued to increase and in 1955, a reorganization of the Branch was taken up which resulted in redistribution of various subjects amongst the existing Departments with suitable changes in their names, closing of the Local Self-Government (Legislation) Department, and addition of (i) Municipal (C) Department for dealing with taxation measures and finances of municipalities and (ii) a Housing Department for co-ordinating the various housing schemes of the State Government in addition to the administration of Improvement Trusts and the present Town and Country Planning Department. This continued till April, 1962 when with a view to co-ordinating the working of the different institutions under the three tier system of democratic decentralisation, viz. Zila Parishads at the apex, Kshettra Samitis in the middle and Gaon Panchayats at the bottom of the ladder, the Panchayat Raj Department, which by then was looking after all these matters was transferred from Local Self-Government Branch to Planning Branch and renamed as Panchayati Raj Department.<sup>30</sup> In order to handle the work relating to the Centralisation of most of the services under Corporations and Municipal Boards, as also other works which should not necessarily be dealt with at the Government level or in the Secretariat, the question of establishing a Directorate of Local Bodies is under the consideration of Government.

10.5.8. The portfolio of Local Self-Government works and institutions is held by the Minister for Local Self-Government. The Secretariat consists of:

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30. See Chapter 8.5 on Panchayati Raj Department.

Secretary	1
(Also Director of Local Bodies, U.P.)	
Deputy Secretary	3
Assistant Secretary	1
Superintendent	6

The subjects dealt with in the various Secretariat Departments are, broadly, as follows:

(1) *Local Self-Government (A) Department.* Town Areas and Notified Areas; policy decisions about common matters relating to all local bodies; *Nazul*<sup>31</sup> work relating to Municipal Corporations (including Lucknow *Nazul*), Municipal Boards, Town and Notified Areas, Collectors' *Nazul* including *Nazul* budget and establishment, grants-in-aid to local bodies in respect of dearness allowances given to their employees; grants sanctioned in lieu of various magisterial fines; Local Self-Government Standing Committee; Central Council of Local Self-Government and Provincialized Melas, viz., Magh and Kumbh Melas and Hastinapur Town Development Board.

(2) *Local Self-Government (B) Department.* Plans and projects of local bodies concerning water supply and drainage in urban and rural areas; National Water Supply and Sanitation Programme; water tax, water supply rules; drainage tax, electrification schemes and matters relating to electrical undertakings run by Municipal Boards; establishment matters of water-work and electrical undertakings under local bodies and administrative work relating to Local Self-Government Engineering Department.

(3) *Municipal (A) Department.* Administration of Municipal Board, municipal boundaries, disputes between Municipal Boards and other local bodies including Electric Supply Companies, Municipal Fire Service and Centralised Services in Municipal Boards and Corporations.

(4) *Municipal (B) Department.* Administration of Municipal Corporations including Welcome Addresses presented by Corporations, Municipal Corporations Act and rules made under it, municipal

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31. *Nazul* is an Arabic word which means something which has come down or descended and it appears that it referred in the medieval period to land or property which reverted to the management of the State. Now it means any Government land or building, which is not administered as State property by Land Reforms Commissioner, Forest Department or Canal Department. It is managed in accordance with rules contained in the *Nazul Manual* (1953) by Collectors, Municipal Boards or other local bodies to whom the management may have been transferred by the Government. In the case of *Nazul* managed by local bodies, half the amount of premium and one quarter of the annual lease rent is paid to Government. *Nazul* land is generally leased out by auction of premium for 30 years renewable up to 90 years, with 50 per cent enhancement in rent at the time of each renewal. For charitable purposes like schools, hospitals, etc., no premium is charged. The rent charged is also half of the market rate.

All *Nazul* work, being done formerly in different departments, was consolidated and placed in Local Self-Government (A) Department in August, 1966.



properties—roads, buildings, etc., land acquisition for Municipal Boards, matters relating to public health, education, animal husbandry and disposal of surplus stores of municipal boards, Cantonment Boards and L.S.G. Branch Secretariat establishment.

(5) *Municipal (C) Department.* Municipal taxation except water tax and drainage tax, Budgets of Municipal Boards and Corporations, audit reports, loans and grants to Municipal Boards and Corporations, road grants<sup>32</sup> to Town Area and Notified Area Committees, grants in lieu of fines, loans floated by Corporations, investment of Municipal and Corporation funds, octroi and toll limits, scales of pay of employees of local bodies, delegation of powers to Commissioners and District Magistrates under various enactments related to local bodies, and U.P. (*Nagar Kshettra*) *Bhumi aur Bhawan Kar Adhiniyam* [U.P. (Urban Areas) Land and Buildings Tax Act], 1962.<sup>33</sup>

32. These road grants to local bodies in the State, which are in the shape of grants-in-aid given from the U.P. Road Fund for general maintenance, renewal, improvement and construction of their roads, bridges, culverts, etc., are regulated under the 'Rules for Regulating the Distribution of Road Grant,' which were published under Notification dated December 31, 1959, and which came in force from April 1, 1960. Zila Parishad, Municipal Corporations and Municipal Boards receive this grant on the basis of the road mileage within their boundary limits, while the Notified Areas and Town Areas normally receive fixed sums varying according to the total amount available for distribution as road grant. Weightage is given to hill areas where the cost of road construction and maintenance is higher. Government can, if they so consider necessary, issue instructions—

- (a) that a certain percentage of the total revenues of the local body should be specially earmarked for the construction, maintenance or repairs of roads, culverts and bridges within the limits of the local body, or of any particular road, culvert, etc., and
- (b) that any local body or class of local bodies should impose any tax, so specified, which they are empowered to levy under the law, or set of taxes which they can so levy at such rate or in such amount as the State Government may specify.

Grants are usually given to those local bodies who contribute an equal amount from their own resources and comply with the general instructions in this behalf, as are issued by the Government from time to time. Special priorities can be assigned by the State Government.

33. A tax was imposed with effect from July 1, 1962, on land and buildings situated in the urban areas, *viz.*, the areas covered by Municipal Corporations, Municipal Boards, Notified Areas, Town Areas and Cantonments under the U.P. *Nagar Kshettra Bhumi aur Bhawan Kar Adhiniyam*, 1962 with a view to augmenting resources needed for development programme of the State. Initially, the Act provided for levy of the tax at a flat rate up to 10 per cent of the annual taxable value of the land and buildings, but it was levied only at the rate of 5 per cent of the taxable value. In 1965, the maximum limit of tax was raised from 10 per cent to 25 per cent through an amendment in the Act, which provided for levy of tax at different rates on different classes of land and buildings depending upon whether they were business premises or whether they came within the operation of the U.P. (Temporary) Control of Rent and Eviction Act, 1947. The various rates of taxes, however, remained lower than the maximum limit. A decision to abolish this tax from April 1, 1967, was taken and imposition and realisation of the tax stands suspended with effect from that date. Administration of this Act was entrusted to the

(Continued on next page)



(6) *Housing Department.* Town and Country Planning, housing and slum clearance schemes,<sup>34</sup> matters falling within the U.P. Town Improvement Act, Improvement Trusts, administration of the U.P. (Regulation of Building Operations) Act, 1958, and Housing and Development Board.

10.5.9. Municipal (A) Department was also lately concerned with a committee set up by Government for examining the working conditions of sweepers under various local bodies and making recommendations for improving them. The Committee submitted its report in May, 1965. Another important Committee relating to Municipal (C) Department was the U.P. Urban Local Bodies Financial Resources Committee. Similarly, Government constituted in 1965 through the Housing Department the U.P. Parks Committee with Sri A. G. Kher, ex-Speaker, Legislative Assembly, U.P. as Chairman to study the problem of protecting and maintaining the existing parks, play-grounds and open spaces from encroachments for building purposes due to increased pressure on open lands in cities and towns and also increasing their areas, having regard to the needs of the rising population, by suggesting administrative, advisory and legislative measures for the management of these places. The Committee submitted its report in 1966. The Uttar Pradesh *Nagar Mahapalika Adhiniyam* (Act), 1959, was enacted on January 24, 1959 and since then it had been amended a number of times. The last amendment was made in 1966. The necessity of making other amendments in the Act was felt even after that. The Government, therefore, appointed an Advisory Committee in October, 1969, with the Minister for Local Self-Government as Chairman, a few members of Legislature, officials and non-officials as Member and Deputy Secretary to Government, L.S.G. Branch, as Member-Secretary, to consider the amendments and proposals therefor already received by the Government, to make further suggestions for amendments in the Act as were considered necessary and to make other suggestions for improving the administration of Municipal Corporations.<sup>35</sup>

*(Continued from previous page)*

Board of Revenue who were engaged lately only on the collection of outstanding dues and arrears of tax due to enhancement of rates. (See Chapter 7.1 on Revenue Department, p. 179).

34. The following housing, slum clearance and planning schemes were being implemented with the help of loans and subsidies from the Government of India and the Life Insurance Corporation of India:

- (i) Subsidised Industrial Housing Scheme,
- (ii) Slum Clearance and Improvement Scheme,
- (iii) Low Income Group Housing Scheme,
- (iv) Middle Income Group Housing Scheme,
- (v) Land Acquisition and Development Scheme, and
- (vi) Regional Planning Scheme.

The Village Housing Projects Scheme taken up earlier was discontinued in 1965-66. The Urban Development Scheme is going to be started shortly.

35. Another Committee was constituted through Municipal (B) Department in January, 1970, while the book was in the press, to find out and examine

*(Continued on next page)*

10.5.10. A co-operative federation in the name of *U.P. Sahkari Avas Sangh Ltd., Lucknow*, was registered in August, 1969, with the main aim of taking loans from the Life Insurance Corporation of India and distributing them in the shape of loans to member co-operative housing societies for their house building activities. Government have more than sixty per cent share in this federation, and, for its proper functioning, have constituted a Board of Directors, which includes two-third representation of members nominated by the Government, viz., Secretary to Government, Local Self-Government Department, as Chairman; Secretaries to Government in Co-operative, Finance and Public Works Departments; Housing Commissioner, Housing and Development Board, U.P.; Registrar, Co-operative Societies, U.P.; Chief Engineer, Public Works Department, U.P.; Chief Engineer, Local Self-Government Engineering Department; Chief Town and Country Planner, U.P., and a representative nominated by the Life Insurance Corporation of India, as Members. The other five Members of the Board are representatives of the member co-operative housing societies.

## 1. HOUSING AND DEVELOPMENT BOARD

10.5.11. The U.P. Housing and Development Board (*U.P. Avas Evam Vikas Parishad*) was set up at Lucknow with effect from April 1, 1966 under the *U.P. Avas Evam Vikas Parishad Adhiniyam* (Act), 1965, with the Chairman and Housing Commissioner as Chief Executive Officer of the Board, six non-official members including one Mayor (*Nagar Pramukh*) of a municipal Corporation (*Mahapalika*) and one member from each House of the Legislature, all of whom are appointed by the Government, and four official *ex-officio* members, viz., Secretary to Government, Finance Department; Secretary to Government, Local Self-Government and Housing Departments; Chief Engineer, Local Self-Government Engineering Department and Chief Town and Country Planner, U.P. Later on, non-officials were appointed as Chairman of the Board and whole-time IAS officers were appointed as Housing Commissioner. Other officers and staff are appointed by the Board having regard to the exigencies of work in accordance with the provisions of the Act and Rules. The officers, in particular, are Deputy Housing Commissioner-cum-Secretary, who is an officer of the U.P. Civil Service (Executive Branch), two Superintending Engineers and a number of Executive and Assistant Engineers, Accounts Officer, Loan Officer and Special Land Acquisition Officer. The functions of the Board are to tackle the housing and development problems of practically all the fast-growing urban areas and areas with potentialities of development to which the Act is

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(Continued from previous page)

ways and means for improving the sanitation, proper development and beautification of Lucknow, the capital of the State, under the Chairmanship of the Chief Minister with eleven members and the Chief Town and Country Planner, U.P. as Member-Secretary.

applied by the Government and in particular to frame, execute, scrutinize and provide technical advice in housing and improvement schemes and projects, to regulate building operations, to improve and clear slums, to raise loans and give grants and loans to local authorities, to levy betterment fees, etc. The Board can also organize and run workshops and stores for the manufacture of stock-piling of building materials. The main source of recurring income of the Board is surcharge on stamp-duty levied under the Indian Stamps Act. To begin with, the Board had started its activities in the cities of Kanpur, Allahabad, Varanasi, Agra and Lucknow. The operation of the Act was also extended to the Improvement Trust cities of Dehra Dun, Saharanpur, Meerut, Moradabad, Bareilly, Shahjahanpur, Aligarh, Jhansi, Gorakhpur and Faizabad, by merging these ten Improvement Trusts in the Housing Board with effect from December 7, 1967. The city area of Almora was also added to the Board's field of operation with effect from December 1, 1968.

## 2. IMPROVEMENT TRUSTS

10.5.12. Except for the Improvement Trust of Ghaziabad, which has been placed under the charge of an official Administrator under the U.P. Local Bodies (Appointment of Administrators) Act, 1961, who is also Administrator of the superseded Ghaziabad Municipal Board, the ten other Improvement Trusts mentioned in the earlier section, which were merged in the Housing and Development Board in December, 1967, had the District Magistrates as their *ex-officio* Chairmen with five official and non-official Members nominated by the Government for each Trust. Improvement Trusts formulate plans for the immediate and future requirements for different urban uses, e.g., residential, commercial, industrial, transport, social services, etc., and implement them on a phased programme according to needs of the community and available resources.

10.5.13. Improvement Trusts have no powers of taxation or any other source of recurring income. In initial stages, the Government has to give substantial financial aids to these Trusts till they are able to develop their own sources of income from disposal of developed sites and buildings. The surcharge on stamp duty on transfers and mortgages of land and buildings within the Trust limits at the rate of 2 per cent of value is the only additional source of income for the Trusts. Improvement Trusts are also given substantial loans under the Land Acquisition and Development Schemes, Low Income Group and Middle Income Group Housing Schemes, Slum Clearance Schemes, etc., sponsored by the Government of India.

10.5.14. A considerable measure of autonomy is enjoyed by the Trusts under the U.P. Town Improvement Act, 1919. According to the provisions of the Act, Government control is limited to the sanction of schemes framed by a Trust and approval of the budget estimates sanctioned by the Trust. In actual practice, however, Government exercises a rather greater degree of control as the Chair-

man and members of these Trusts, or Administrators, are appointed by Government and can be removed by the latter. Besides, the Trusts have to depend entirely on financial assistance from Government and in this manner, as also through the budget estimates, Government controls and directs their activities. Government also approves appointments and other service matters relating to such staff as needs to possess professional skill.

### 3. MUNICIPAL CORPORATIONS

10.5.15. The Corporations (*Mahapalikas*) at Agra, Allahabad, Kanpur, Lucknow and Varanasi established on February 1, 1960, consist of Councillors (*Sabhasads*) and Aldermen (*Vishishta Sadas-yas*), with a term of office of five years. The Councillors are elected by direct election on the basis of adult suffrage from various wards into which a city is divided. The Aldermen are elected by the Councillors. The maximum number of Councillors prescribed in the U.P. *Nagar Mahapalika Adhiniyam* (Municipal Corporations Act), 1959, is 90 but the State Government have power to determine their number for each Corporation. The number of Aldermen is one-ninth of the total number of Councillors. At the time of the first general elections held in 1959, Government determined their number as under:—

<i>Name of Corporation</i>	<i>No. of Councillors</i>	<i>No. of Aldermen</i>
Agra	54	6
Allahabad	54	6
Kanpur	72	8
Lucknow	63	7
Varanasi	54	6

10.5.16. The Corporation authorities, charged with carrying out the provisions of the Act for each city, are:—

- (a) The Corporation;
- (b) an Executive Committee;
- (c) a Development Committee;
- (d) a Chief Executive Officer or Municipal Commissioner (*Mukhya Nagar Adhikari*) appointed by the State Government; and
- (e) in the event of the Corporation establishing or acquiring electricity supply or public transport undertaking or other public utility services, such other committees as the Corporation may, with the previous sanction of the State Government, establish.

10.5.17. The Mayor (*Nagar Pramukh*) and the Deputy Mayor

(*Up Nagar Pramukh*) of a Corporation are elected by the Councillors and Aldermen. The Mayor holds office for a period of one year and the Deputy Mayor for the term of the Corporation. The latter is also *ex-officio* Chairman of the Executive Committee and Development Committee.

10.5.18. *Executive Committee.* The Executive Committee is the working body of the Corporation having certain independent powers, particularly in the field of finances and general control and supervision over the administration. It consists of twelve persons elected out of Councillors and Aldermen, but provision exists for the retirement of half of the members of the Committee every year and election of new members to fill their seats.

10.5.19. *Development Committee.* The Development Committee consists of twelve persons, ten out of whom are to be elected by the Corporation for terms as in the case of members of Executive Committee and the other two are to be persons having experience of municipal administration in matters relating to development, improvement or planning, as are co-opted by the members of the Committee for a term of one year. The latter are entitled to take part in the proceedings of the Committee but have no right to vote. The functions of this Committee are similar to those performed by the erstwhile Improvement Trusts or Development Board.

10.5.20. *Chief Executive Officer.* The Corporations in this State provide for the functioning of the deliberative and the executive wings separately and independently of each other. The relationship between the elected body and the executive is broadly that while the former is concerned with the framing of policies, it is the function of the latter to execute those policies faithfully and in consonance with the Act, rules, regulations and byelaws. The executive functions of a Corporation are numerous and important and it is necessary that there should be a skilled and experienced executive head to advise them and to carry out properly the policies laid down by them by keeping itself away from groupism or party affiliation. The State Government have, therefore, appointed in each Corporation a Chief Executive Officer, who has certain independent powers and functions conferred upon him by the Act, but generally performs all other functions of the Corporation on its behalf except those which are non-delegable under the Act, and keeps proper control on the staff.

10.5.21. If at any time the deliberative wing finds that the executive wing is not executing the policies framed by it faithfully, the Corporation or its Executive Committee can require the Chief Executive Officer to produce any record or correspondence in the Corporation Office or to furnish any return or report relating to the administration of the City, unless compliance of such requisition is found by the Mayor as prejudicial to the interest of the Corporation or the public. The Act also provides for the withdrawal of the Chief Executive Officer from the Corporation by the Government, if not less than 5/8th of the total number of members vote in favour of a resolu-

tion recommending his withdrawal from the service of the Corporation. Thus, though the executive body in a Corporation is to function virtually independently of the deliberative wing in day-to-day working, necessary checks have been provided so as to safeguard against any mis-use of powers. The Chief Executive Officer has to work, therefore, under great limitations and in practice, he cannot function as an absolute independent agent.

10.5.22. *Functions.* The Act divides the functions and powers of Corporation into two categories,—Obligatory and Discretionary. Obligatory functions are:

- (1) Erection of substantial boundary marks of the city;
- (2) Naming or numbering of streets and public places and numbering of premises;
- (3) Sanitation of localities, streets, public places, hotels and the like;
- (4) Maintenance of waterworks and drainage system and other similar public conveniences;
- (5) Construction and maintenance of hospitals, dispensaries, veterinary hospitals, maternity and child welfare centres and birth control centres, provision for antirabic treatment and prevention of dangerous, contagious and infectious diseases;
- (6) Public vaccination and maintenance of ambulance service;
- (7) Registration of vital statistics, including births and deaths;
- (8) Control of offensive and dangerous trades;
- (9) Regulation and maintenance of places for disposal of dead bodies, public markets and slaughter houses;
- (10) Fire Brigade Service;
- (11) Removal of dangerous buildings, obstructions and projections upon streets and bridges, etc.;
- (12) Primary education, including nursery education;
- (13) Maintenance of cattle ponds;
- (14) Public streets, bridges, culverts, causeways and planting of trees on road sides;
- (15) Regulation of traffic and provision for traffic signs;
- (16) Town planning and improvement, including slum clearance;
- (17) Maintenance of monuments and property vesting in the Corporation.

The discretionary functions of a Corporation follow closely the line of the U.P. Municipalities Act mentioned under the subsequent



section dealing with Municipal Boards. Certain important additions are:

- (1) Making grants to educational and cultural institutions situated within and outside the city;
- (2) Establishing a bank; and
- (3) Removing un-employment.

10.5.23. *Officers and Staff.* The elected body in Corporations does not exercise any powers of appointments of officials or of imposing punishment on them, except that, unlike the Corporation Acts in other States which do not vest any important power of appointment in the Mayor, this State Act provides for the appointments to the posts of *Upa Nagar Adhikari* (Executive Officer), *Sahayak Nagar Adhikari* (Secretary), Municipal Engineer, Municipal Medical Officer of Health, the Chief Audit Officer and to other posts carrying an initial salary of not less than Rs. 500 p.m. by the Mayor in consultation with the State Public Service Commission. Appointments to other posts carrying an initial salary of Rs. 200 or above could be made by the Chief Executive Officer (*Mukhya Nagar Adhikari*), except for posts in the Audit Department, appointments to which could be made by the Chief Audit Officer of the Corporation, in consultation with the State Public Service Commission in both cases. The Chief Audit Officer is incharge of the Audit Organization and functions independently of the Chief Executive Officer. For posts carrying an initial salary of less than Rs. 200, these officers could make appointments on the recommendation of a Selection Committee except that power to make appointments to posts carrying an initial salary of Rs. 50 or less was exercised by various heads of departments. From July 9, 1966, however, the State Government promulgated, in exercise of the powers under Section 112 A of the U.P. *Nagar Mahapalika Adhiniyam*, the U.P. Palika (Centralised) Services Rules, 1966, by which certain services and posts of *Nagar Mahapalikas* and Municipal Boards were centralised and made common to *Nagar Mahapalikas* and Municipal Boards. Under these Rules, the State Government also took in their hands the powers of making appointments of, imposing punishments on, granting leave to and making transfers from one *Nagar Mahapalika* to another or from one Municipal Board to another Municipal Board, of the officers included in the Centralised Services of these bodies. The power of suspending an officer of *Nagar Mahapalika* belonging to the Centralised Services has been delegated to *Mukhya Nagar Adhikari* (Chief Executive Officer) or an Administrator of a Corporation.

10.5.24. *Taxation.* While the U.P. Municipalities Act provides for the levy of any or all the taxes mentioned in the Act at the discretion of a Board, the U.P. Municipal Corporations Act envisages two categories of taxes,—taxes which must be levied and taxes which the Corporation may levy in its discretion. Compulsory taxes are:

(i) Property Taxes which will comprise of:—

- (a) a general tax (popularly known as House Tax);
- (b) a water tax;
- (c) drainage tax in areas provided by sewer system;
- (d) a conservancy tax in areas in which the Corporation undertakes removal and disposal of polluted matter.

(ii) A tax on vehicles, other than mechanically propelled vehicle, and other conveyances plying for hire or kept within the city or on boats moored therein;

(iii) A tax on animals used for riding, driving, draught or burden when kept within the city.

The aggregate of the Property Taxes is in no case less than 15 per cent nor more than 25 per cent of the annual value of buildings. The taxes to be levied at option follow the lines of the U.P. Municipalities Act. A tax on advertisements, other than those published in newspapers, and a theatre tax have been added. Further, a Betterment Tax and a tax on deeds of transfer of immovable property have also been included in the shape of surcharge on stamp duty at the rate of 2 per cent of value over that imposed by the Indian Stamp Act, 1899.

10.5.25. *Budget.* The Chief Executive Officer lays the Budget before the Executive Committee which, after making such modifications as may be found necessary, submits it to the Corporation. Excepting for budgets of indebted Corporations, which need the sanction of the State Government, a Corporation is the final authority to adopt the budget. The budget estimates provide a sum of money not exceeding five thousand rupees to be spent by the Mayor at his discretion on any one or more of the functions of the Corporation.

10.5.26. *Mahapalika Fund.* The Act provides for the establishment of a Fund for each Corporation. The order of preference of the purposes to which the Corporation fund would be applied has also been laid down. The Chief Audit Officer conducts a monthly audit of the accounts of the Corporation and submits his report within a month to the Executive Committee, which too can conduct independently an examination and audit of the accounts. Government can, however, appoint auditors for special audit, if necessary.

10.5.27. *Borrowing Powers.* In consideration of the fact that a Corporation may at times find it difficult to finance certain development schemes of public interest, execution of which involves large sum of money, provisions have been made in the Act empowering it to borrow, with prior sanction of the State Government, any sum by the issue of debentures or otherwise on the security of any immovable property vested in the Corporation or proposed to be acquired by it or of any taxes, tolls, etc., which it is authorised to levy. Provision has also been made that no loan can be raised for the execution of any work other than of a permanent nature. It can also borrow money from any scheduled bank against any public security.

Except in the case of an indebted Corporation, approval of Government is not necessary for taking such loans from banks.

10.5.28. *Improvement Schemes.* The improvement schemes are prepared by the Chief Executive Officer and considered by the Development Committee. A Corporation can approve finally a scheme costing up to Rs. 10 lakhs but those costing more need the approval of the State Government. Where a slum clearance scheme is enforced, the Act empowers the Development Committee and the Chief Executive Officer in the matter of vacation and demolition of such buildings. It is also obligatory for the Corporation to make arrangements for rehabilitation of persons so displaced.

10.5.29. *Government Control.* The State Government has a vital role to play in ensuring the proper functioning of local bodies by constant vigilance on their activities and constructive guidance based on the scientific study of and an intelligent and sympathetic interest in local problems. The trend in democracies is towards greater decentralization of executive authority but stricter control and inspection from superior organs of State power. Control of local bodies becomes more of a negative character if it is confined to over-seeing their work and taking drastic punitive action against those at fault. The positive aspect of supervision is equally important. The Taxation Enquiry Commission observed that "Government control and hold should not be so meticulous or minute as to destroy the autonomy or self-reliance of local bodies. The goal of State effort as well as the purpose of State control should be the development of local self-governing institutions into efficient instrument of administration, capable alike of formulating policies and of executing them". The Act envisages control of the State Government on Corporations on lines similar to those laid down in the U.P. Municipalities Act but provision has been made to the effect that their supersession should be resorted to only in extreme cases and that too if the remedy of dissolution and reconstitution of a Corporation remains ineffective. Sufficient checks have been provided in the Act to ensure very careful consideration before a decision is taken to supersede a Corporation even for a limited period of one year. A Corporation can be dissolved if it is not competent to perform, or persistently makes default in the performance of its duties or exceeds or abuses its powers more than once but in such a case fresh elections have to be organised soon afterwards and within six months at the most. If after dissolution the reconstituted Corporation also proves incompetent and persistently defaults in the performance of duties imposed upon it or exceeds or abuses its powers more than once, it can be superseded. A copy of the order of supersession has to be laid before each House of the State Legislature to give the Legislature an opportunity to discuss it.

10.5.30. The term of all these Corporations, including the extended term, had expired on January 31, 1966. Second general elections to the Corporations, which should have been held prior to

this date so as to constitute fresh Corporations, could not be held. The State Government promulgated an Ordinance on January 25, 1966 (which became an Act later) whereby the administration of the Corporations was placed with effect from February 1, 1966, under the charge of official Administrators appointed by the State Government. This arrangement was made for a period of two years or until the Corporations were reconstituted, whichever was earlier. Under this arrangement, an Administrator was vested with all the powers, functions and duties of the *Mahapalika*, the Mayor, the Deputy Mayor, Executive Committee, Development Committee and other Committees and of the *Mukhya Nagar Adhikari*. The life of the Administrators' regime was due to expire on January 31, 1968, but as general elections to the Corporations could not be held before that date, the term of the Administrators was further extended by five months. General elections to the Corporations of Agra, Kanpur, Lucknow and Varanasi were held during this extended period and these Corporations started functioning from July 1, 1968. Elections to the Corporation at Allahabad could not, however, be held. As such, the term of the Administrator there was extended till December 31, 1969. This term was further extended till the end of December 1970, as it was not considered practicable to hold general election to this Corporation within that period.

#### 4. MUNICIPAL BOARDS

10.5.31. The existing municipal administration in the State is based on the U.P. Municipalities Act, 1916, under which the State Government have power to declare any area to be a municipality and to define its limits. Municipalities are of two categories — city municipalities having a population of 1,00,000 or over and the other as non-city municipalities. Most of the matters relating to city municipalities come up to Government while those of others are disposed off by the Commissioners of Divisions. Government can, however, declare any area having a population of less than 1,00,000 inhabitants to be a city municipality. Every municipality has a Board which is a body corporate by the name of Municipal Board of the place having perpetual succession, vested with the capacity of suing and being sued in its corporate name, of acquiring, holding and transferring property and of entering into contracts.

10.5.32. Some of the main duties of a Municipal Board under Section 7(1) of the Act are to make reasonable provision within the municipality for lighting and watering public streets and places; cleaning public streets, places, and drains; regulating offensive, dangerous or obnoxious trades; providing a sufficient supply of pure and wholesome water, where the health of the inhabitants is endangered by insufficiency or unwholesomeness of the existing supply; registering births and deaths; providing public medical relief and establishing and maintaining primary schools. The Municipal Boards can frame bye-laws for the purpose of promoting or maintaining the health, safety and convenience of the inhabitants of the municipality and for the further-

ance of municipal administration under the Act and these are subject to confirmation by the Commissioner of the Division. Discretionary functions of a Board under section 8(1) of the Act include construction or establishment and maintenance of public parks, gardens, libraries, museums, lunatic asylums, reclamation of unhealthy localities, preparation and execution of house and town planning schemes, taking measures for promotion of trade or industry, establishment of welfare centres for its employees, control of beggary, etc.

10.5.33. A Municipal Board consists of such number of elected members between 10 and 40 as may be fixed by the State Government under the Act. Government have powers to vary the normal composition of a Board where they are satisfied that the municipality is subject to substantial seasonal variation of population. The term of Municipal Boards is 5 years but the State Government can extend from time to time the term of a Board up to a total period of two years. The members of a Board are elected on the basis of adult suffrage from various wards into which the municipality is divided. Reservation for scheduled castes on population basis is provided in the Act.

10.5.34. The President of a Board, who should be a person not below 30 years of age, is elected by its members. His term of office is coterminus with that of the Board. There are special provisions for bringing a vote of no-confidence against the President but no notice of such a motion can be received within twelve months of assumption of office by a President. Each Board has a Vice-President or a senior and a junior Vice-President elected for a term of one year. The President and members of a Board cannot be granted any remuneration or travelling allowance by the Board except with the sanction of the Government or in accordance with rules. The State Government have, however, delegated this power to District Magistrates.

10.5.35. Most of the Municipal Boards have framed regulations for establishing committees for the purposes of exercising such powers, performing such duties or discharging such functions as have been delegated to these committees by those regulations.

10.5.36. Under Government Resolution dated March 29, 1949, Municipal Boards were classified into four categories for determining the pay of their employees. These were—

- Class I : Average annual income exceeding Rs. 5 lakhs.
- Class II : Income between Rs. 2.5 lakhs and Rs. 5 lakhs.
- Class III : Income between Rs. one lakh and Rs. 2.5 lakhs.
- Class IV : Income between Rs. 40,000 and Rs. one lakh.

The above criterion was changed with effect from December 5, 1966, and the Boards were reclassified as below:

- Class I : Average annual income exceeding Rs. 7.50 lakhs
- Class II : Income between 3.75 lakhs and Rs. 7.50 lakhs.
- Class III : Income between Rs. 1.50 lakhs and Rs. 3.75 lakhs.
- Class IV : Income between Rs. 50,000 and Rs. 1.50 lakhs.



10.5.37. The State Government have centralized certain important services under all the Municipal Boards, as mentioned earlier in paragraph 10.5.3, under the U.P. Palika (Centralized) Services Rules, 1966. In respect of non-centralized services and posts, appointments on posts carrying monthly salary exceeding Rs. 75 in a city Board and Rs. 50 in a non-city Board are made by the President of the Board, but appointments on posts carrying monthly salaries of or over Rs. 250 and Rs. 100 respectively, are subject to approval of the Board. An Executive Officer is the appointing authority for lower posts. Medical Officers of Health are appointed in these Boards by the State Government in accordance with the rules relating to this matter. A Board can, however, appoint a temporary Medical Officer of Health subject to prior approval of Government, in case the latter are not in a position to make available the services of any of their officers to the Board.

10.5.38. The main sources of income of Municipal Boards are taxes which they are empowered to levy under the various provisions of the Act, such as a tax on buildings and land; income from undertakings such as waterworks, electricity supply, etc.; rent and income from the property acquired or vested in the Board; taxes on vehicles and other conveyances, taxes on dogs kept within the city, taxes on animals used for riding, driving and other purposes, toll on vehicles and other conveyances, animals and laden coolies entering the municipality, octroi on goods or animals brought within the municipality for consumption or sale; circumstances and property tax, scavenging tax and tax on trades, callings and vocations. Imposition of all taxes is subject to previous publication and approval of Government in the case of a city municipality and of the Commissioner of the Division in the case of non-city municipality. The State Government have the power to require a Board to increase, modify, vary or impose a tax and in case it fails to carry out the orders passed by Government, these orders operate as if they were a resolution duly passed by the Board. Municipal Boards receive loans, grants and subsidies from Government for education, road construction and other purposes.

10.5.39. Every Municipal Board is required to prepare its own budget which is adopted by passing a special resolution. The budget of an indebted Board is, however, subject to the approval of the Commissioner of Division.

10.5.40. Audit of the accounts of Municipal Boards is of two kinds, viz., test audit and special audit. Boards have to pay fees for having their accounts audited. Test audits are held annually by the Examiner, Local Fund Accounts, U.P., Allahabad, for two months of the accounts of a Board, costs of which are charged to the Boards. If as a result of this audit or otherwise, the accounts for a longer period have to be audited, special audit is resorted to. The President, Executive Officer and Secretary are personally res-



possible for the compliance of the audit objections within three months of their receipt. The Board considers the audit note at a special meeting, in which the audit note is the only item on the agenda, and the meeting is to be held not more than three months after receipt of the note, together with an explanation on the part of the municipal staff on each of the points raised in the note. The action taken by the Board is reviewed by the District Magistrate and, if in his opinion, adequate action has not been taken by the Board, he can direct it to comply with his order. The Examiner may exercise his discretion in referring any points that may arise for the orders of District Magistrate and in case of difference of opinion with the latter, the Examiner may submit the matter for orders of Government. President, members, officers, and staff of a Municipal Board are also liable to be 'surcharged' if any loss, waste or misapplication of municipal money or property is caused due to their negligence or misconduct.<sup>36</sup>

10.5.41. *State Control.* Government control over Municipal Boards in the State is exercised by the District Magistrates, the Commissioners and the State Government in accordance with the various provisions of the Act. In the case of emergency, the District Magistrate is vested with extraordinary powers for the execution of any work or the doing of any act which the Board is empowered to execute or do. The Commissioner, the District Magistrate, the Additional District Magistrate and the Sub-Divisional Magistrate have been appointed by the State Government as 'Prescribed Authority' for the purpose of exercising within their jurisdiction, the power mentioned in Section 32 of the Act, which empowers them to inspect any immovable property used or occupied by a Board and to call for by order in writing, any book or document in the possession or under the control of a Board. The State Government have also appointed officers under Section 33 of the Act authorising them to inspect municipal works and institutions. Under certain circumstances, as detailed in Section 34 of the Act, the State Government or the Commissioner or the District Magistrate have the powers to prohibit a resolution passed by a Board. If a Board fails to perform any duty imposed on it, the Prescribed Authority, i.e., the Commissioner of Division in this case, may call for an explanation of the Board, and the State Government in the case of a city Board and the Commissioner in other cases, may, after considering that explanation, fix a period for the performance of that duty. If the Board fails even then, the State Government or the Commissioner, as the case may be, may appoint the District Magistrate or any other officer to perform that duty at the expense of the Board. All disputes between a Municipal Board and other local bodies are decided by Government. The State Government in the case of a city Board and the Commissioner in the case of a non-city Board have powers to remove a member on the grounds enumerated in Section 40(1) of the Act. The State Government

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36. For details of 'Surcharge' Rules, see Chapter 4.6 on Local Fund Audit Organization, p. 107.

have the power to remove a member of any Board, who in its opinion has so flagrantly abused his position as a member of the Board as to render his continuance detrimental to public interest. Before, however, a member is removed, his explanation is obtained and considered. Similarly, the State Government may remove a President or give him a warning if there has been a failure on his part in the discharge of his duties or he has been guilty of gross misconduct in the discharge of his duties. If at any time the State Government, after taking into consideration the explanation of the Board, is satisfied that the Board has made a wilful default in the performance of the duties imposed on it under the U.P. Municipalities Act or any other enactments or has exceeded or abused its powers, it can, by order together with the reasons therefor published in the official gazette, dissolve the Board or supersede it for such period as may be specified. During the period the Board remains under supersession or dissolution, an official is appointed by the State Government to exercise and perform the duties of the Board.

10.5.42. The 151 Municipal Boards, existing in the State in December, 1969, were as in the list given below:

List of Municipalities and their Classification.<sup>37</sup>

<i>Division</i>	<i>District</i>	<i>Municipality</i>	<i>Classification</i>
1	2	3	4
Meerut	Dehra Dun	Dehra Dun	I
		Mussoorie	I
		Rishikesh	I
		Vikasnagar	IV
	Saharanpur	Saharanpur	I
		Hardwar Union	I
		Roorkee	I
		Deoband	III
		Gangoh	III
		Manglaur	IV
	Muzaffarnagar	Muzaffarnagar	I
		Kandhla	II
		Shamli	II
		Kairana	III
		Khatauli	III
	Meerut	Meerut	I
		Ghaziabad	I
		Hapur	I
		Baraut	I
		Mawana	II
		Pilkhuwa	III

37. There were 39 Municipal Boards of Class I, 34 of Class II, 41 of Class III and 37 of Class IV.

1	2	3	4
Agra	Bulandshahr	Bulandshahr	I
		Sikandrabad	I
		Khurja	I
		Debai	III
		Anupshahr	III
		Jahangirabad	IV
	Aligarh	Koil (Aligarh)	I
		Hathras	I
		Sikandra Rao	II
		Atrauli	III
	Agra	Firozabad	I
		Fatehpur-Sikri	III
	Mathura	Mathura	I
		Vrindaban	II
		Kosi	III
	Mainpuri	Shikohabad	I
		Mainpuri	II
		Sirsaganj	IV
	Etah	Kasganj	I
Etah		II	
Soron		II	
Jalesar		III	
Ganj-Dundwara		III	
Marehra		IV	
Rohilkhand	Bareilly	Bareilly	I
		Aonla	III
		Baheri	III
		Faridpur	IV
	Badaun	Badaun	I
		Ujhani	II
		Sahaswan	III
		Kakrala	IV
		Bilsi	IV
	Moradabad	Moradabad	I
		Chandausi	II
		Amroha	II
		Sambhal	II
		Hasanpur	II
		Bilari	IV
	Shahjahanpur	Dhanaura	IV
		Shahjahanpur	I
	Pilibhit	Tilhar	III
		Pilibhit	I
	Rampur	Bisalpur	III
Rampur		I	
Bijnor	Dhampur	II	
	Najibabad	II	
	Chandpur	II	

1	2	3	4
		Bijnor	III
		Nagina	III
		Nehtaur	IV
		Afzalgarh	IV
Allahabad	Farrukhabad	Farrukhabad-cum-Fatehgarh	I
		Kannauj	III
		Kaimganj	IV
	Etawah	Etawah	II
		Auraiya	II
	Fatehpur	Fatehpur	III
		Bindki	III
Jhansi	Jhansi	Jhansi	I
		Lalitpur	II
		Mauranipur	III
	Jalaun	Konch	III
		Orai	III
		Kalpi	III
		Jalaun	IV
	Banda	Banda	II
		Chitrakut Dham	IV
		Attarra	IV
	Hamirpur	Mahoba	III
		Rath	III
		Maudaha	III
		Hamirpur	IV
		Charkhari	IV
Varanasi	Mirzapur	Mirzapur	I
		Chunar	III
	Jaunpur	Jaunpur	I
		Mongra Badshahpur	IV
	Ballia	Ballia	II
	Ghazipur	Ghazipur	III
	Varanasi	Bhadohi	III
		Moghalsarai	III
		Ramnager	IV
Gorakhpur	Gorakhpur	Gorakhpur	I
	Azamgarh	Azamgarh	I
		Maunath Bhanjan	II
	Deoria	Deoria	II
		Padrauna	II
		Gaura Barhaj	III
	Basti	Basti	II

1	2	3	4
Kumaun	Naini Tal	Naini Tal	I
		Haldwani-cum-Kathgodam	I
		Kashipur	II
		Ramnagar	II
		Rudrapur	IV
		Jaspur	IV
	Almora	Almora	I
		Bageshwar	IV
	Pithoragarh	Pithoragarh	IV
Garhwal	Garhwal	Kotdwara	III
		Pauri	IV
		Srinagar	IV
	Tehri-Garhwal	Dogadda	IV
		Tehri	IV
Lucknow	Uttarkashi	Uttarkashi	IV
	Unnao	Unnao	I
		Sitapur	I
	Sitapur	Biswan	III
		Neemsar Misrikh	IV
		Khairabad	IV
	Hardoi	Shahabad	II
		Hardoi	II
		Sandila	III
		Sandi	IV
		Pihani	IV
		Bilgram	IV
Faizabad	Rae Bareli	Rae Bareli	II
	Kheri	Lakhimpur	II
		Gola-Gokarannath	III
		Mohammadi	IV
	Faizabad	Faizabad	I
		Tanda	II
	Bahraich	Bahraich	I
	Gonda	Gonda	II
		Balrampur	III
		Nawabganj	IV
		Colonelganj	IV
	Bara Banki	Bara Banki (Nawabganj)	II
	Sultanpur	Sultanpur	III
	Pratapgarh	Bela Pratapgarh	III

## 5. NOTIFIED AREAS

10.5.43. Notified Areas are miniature municipalities and are governed by the provisions of the U.P. Municipalities Act, 1916, as extended to them. A Notified Area Committee, responsible for the administration of the affairs of the Area, consists of such number of members as may be prescribed by the State Government. They can all be nominated by the Government or elected by the electorate or partly elected and partly nominated. The institution of Notified Areas has been primarily established to cater to the needs of industrial public undertakings. The system of nomination exists for the sake of facility so that nominated members belonging to industrial concerns may ensure efficient civic administration and promote welfare of the workers engaged for the execution of the undertaking. The Presidents of these Notified Area Committees are elected by the members of the Committee. The term of a Notified Area Committee is four years from the date on which it is constituted and the State Government has power to extend the term of any of the committees, provided the total extension does not in the aggregate exceed two years.

10.5.44. The duties of Notified Area Committees are almost the same as those of municipalities. The strength of staff to be employed in a Committee's office has been fixed in a Government Resolution dated March 29, 1949, but more staff can be employed with the permission of Government. Every Notified Area Committee, except the Railway Settlement Notified Area Committee, Jhansi, is required to prepare its own budget and submit it to the District Magistrate concerned for sanction. The Railway Settlement Notified Area Committee, Jhansi, submits its budget to the General Manager, Central Railways, for sanction. A Notified Area Committee is competent to impose the same taxes, which a Municipal Board is empowered to impose with the sanction of the District Magistrate except that sanction of Government is necessary for imposing toll tax.

10.5.45. The State Government exercises control over Notified Area Committee through District Magistrates and Commissioners. These officers have the power to prohibit the execution of a resolution or order of the Committee, if in their opinion such resolution or order is of a nature which may cause obstruction, annoyance, or injury to the public or danger to human life, health or safety, or cause a riot or affray, or which is prejudicial to public interest. Besides, District Magistrates have emergency powers to carry out any immediate work which the committees are empowered to execute and which may be necessary for the safety or protection of the public. The State Government have power to dissolve or supersede a committee for persistent failure in the performance of its duties or persistent abuse of power. Dissolution is followed by fresh elections. The power to remove members and Presidents of Notified Area Committees from office is exercised by Commissioner of the Division. The President, members, officers and staff of a Notified Area Committee are also



liable to be 'surcharged', like those of a Municipal Board, if any loss, waste or mis-use of any money or property belonging to the local body is caused due to their negligence or misconduct.<sup>38</sup>

10.5.46. There were 41 Notified Area Committees in the State by December, 1969, as in the list given below:

#### Notified Areas In Uttar Pradesh

<i>District</i>	<i>Name of Notified Area Committee</i>	<i>District</i>	<i>Name of Notified Area Committee</i>
Saharanpur	Bharat Heavy Electrical Works Ltd., Hardwar.	Jhansi	Puri and Chamoli-Gopeshwar.
Meerut	Baghpat, Sardhana, Modinagar, Muradnagar and Hastinapur.	Varanasi	Jhansi Railway Settlement and Samthar.
Bareilly	Izatnagar Railway Settlement.	Mirzapur	Moghalsarai Railway Settlement and Manduadih.
Bijnor	Seohara and Kiratpur.		Renukoot, Ahraura, Pipri, Chopan, Churk-Ghurma and Obra.
Moradabad	Moradabad Railway Settlement and Thakurdwara.	Jaunpur	Shahganj.
Shahjahanpur	Rosa.	Ghazipur	Mohamadabad.
Naini Tal	Tanakpur and Bhowali.	Ballia	Rasra and Reoti.
Tehri Garhwal	Narendra Nagar, Deoprayag and Munkshi-Reti.	Basti	Khalilabad.
Chamoli	Joshimath, Badrinath	Lucknow	Charbagh-Alambagh.
		Gonda	Utraula and Tulsipur.
		Bara Banki	Rudauli
		Bahraich	Bhingra and Nanpara.

## 6. TOWN AREAS

10.5.47. Town Areas are very small units of local self-Government and are governed by the provisions of the U.P. Town Areas Act, 1914, and some provisions of the U.P. Municipalities Act, 1916, as extended to them. The Town Area Committees are responsible for the civic administration of such local areas which have developed due to growth of trade and establishment of various government offices, as are declared by Government to be a Town Area. A Chairman of Town Area Committee is elected directly by the electorate of the Town Area at an election held simultaneously with the general election of members of the committee, which normally consists of 9 to 15 members. Immediately after the creation of a Town Area, the first Chairman is appointed by the Prescribed Authority or, if no such authority is appointed, by the District Magistrate. The term of a Town Area Committee is four years from the date of its constitution. The State Government have power to extend the term of the Committee, provided that the total period of extension does not exceed two years. The main functions of these bodies are to make provision for sanita-

38. See Chapter 4.6 on Local Fund Audit Organization, p. 107.

tion, lighting and to provide rudimentary public utility service in town areas. They have also to render such assistance to the prescribed authority or, if none is appointed, to the District Magistrate in the discharge of his functions under Town Areas Act, as he may reasonably require. Every Town Area Committee is required to prepare its own budget and submit it to the District Magistrate for sanction.

10.5.48. In addition to the taxes mentioned in Section 14 of the Town Areas Act, 1914, the Town Area Committees are competent to impose any of the taxes, with the approval of the District Magistrate, which a Municipal Board is empowered to impose under the U.P. Municipalities Act, 1916. Prior sanction of Government or the Commissioner of Division is, however, necessary for the imposition of toll tax.

10.5.49. The State Government exercises control over the Town Area Committees through District Magistrates, who have power to prohibit the execution of a decision, resolution or order passed by a Town Area Committee or any officer or servant of a Committee if in their opinion such decision, resolution or order is of a nature likely to cause obstruction, annoyance or injury to public or danger to human life, health or safety, or cause a riot or affray. Besides this, District Magistrates have emergency powers also to provide for the performance of any such duty as Town Area Committees may refuse or omit to perform. The State Government have also power to supersede a committee for persistent default in the performance of its duties or for excess or abuse of its powers. The power to remove members and chairmen of Town Area Committees from office vests in the District Magistrates. The order for removal, however, takes effect after it has been confirmed by the State Government. The President, members, officers and staff of a Town Area Committee are also liable to be 'surcharged', like those of a Municipal Board, if any loss, waste or misuse of any money or property belonging to the local body is caused due to their negligence or misconduct.<sup>39</sup>

10.5.50. By December, 1969, there were 277 Town Areas<sup>40</sup> in the State, as in the list given below:

#### Town Areas in Uttar Pradesh

<i>District</i>	<i>Name of Town Area Committee</i>
<b>MEERUT DIVISION</b>	
Saharanpur	Behat, Nakur, Ambehta, Rampur, Maniharan, Titron, Sarsawa, Chilkana, Nanauta and Jhabrera.
Muzaffarnagar	Charthawal, Thanabhawan, Jhinhana, Miranpur, Jalalabad, Sisauli, Jansath, Shahpur, Pur Qazi and Budhana.

39. See Chapter 4.6 on Local Fund Audit Organization, p. 107.

40. In the chain of Municipal Boards of smaller sizes, Town Areas with annual income above Rs. 20,000 and up to Rs. 50,000 are treated as of Class V and those up to Rs. 20,000 of Class VI. See also paragraph 10.5.36, p. 640.

<i>District</i>	<i>Name of Town Area Committee</i>
Meerut	Kankerkhara, Kharkhauda, Agarwal Mandi, Bakserkhara, Niwari, Abdullapur, Faridnagar, Khekra, Chaprauli, Aminager Sarai, Parichatgarh, Phalauda, Garhmukteshwar, Babugarh, Lawar and Sewaskhas.
Bulandshahr	Aurangabad, Bhawan Bahadur Nagar, Bugrasi, Gulaothi, Siana, Shikarpur, Dadri, Chhatari, Rabupura, Kakori, Bilaspur, Jewar, Dankaur and Pahasu.

## AGRA DIVISION

Aligarh	Jalali, Jattari, Harduaganj, Sasni, Mursan. Mandu, Khair, Chharra, Beswan, Vijaigarh, Hasain, Kauriaganj, Pilkhana and Purdil Nagar,
Mathura	Gobardhan, Radhakund, Sonkh, Farrah, Gokul, Baldeo, Sadabad, Mahaban, Sahpau, Raya and Chhata.
Agra	Etmadpur, Dayalbag, Tundla, Swamibagh, Achhnera, Pinhat, Bah, Fatehabad, Shamshabad and Jagner.
Mainpuri	Karhal, Bhongaon, Bewar, Kuraoli, Jastrana and Pharha.
Etah	Amanpur, Sakit, Nidholi, Sahawar, Bilram, Raja-ka- Rampur, Patiali, Awagarh, Aliganj and Mohanpur.

## ROHILKHAND DIVISION

Bareilly	Nawabganj, Senthall, Richa, Shishgarh, Fatehganj East, Sirauli and Shahi.
Bijnor	Haldaur, Jhalu, Sherkot, Mandawar, Sahanpur and Barhapur.
Budaun	Bisauli, Islamnagar, Mundia, Dataganj, Alapur, Usehat, Gunnaur, Gawan and Saidpur.
Moradabad	Sirsi, Bahjoi, Nagwan Sadat, Kanth, Kundarki and Bechraon.
Shahjahanpur	Jalalabad, Pawayan and Katra.
Rampur	Bilaspur, Suar, Milak, Tanda, Shahabad and Kemri.
Pilibhit	Puranpur, Husainpur-Neoria and Bilsanda.

## KUMAUN DIVISION

Naini Tal	Khatima and Bhimtal.
Almora	Lohaghat.

## GARHWAL DIVISION

Tehri Garhwal	Kirti Nagar.
Garhwal	Rudra Prayag.
Uttar Kashi	Bhatwari.

## ALLAHABAD DIVISION

Farrukhabad	Shamshabad, Chhibramau, Kamalganj, Tirwaganj, Talgram and Gursahaiganj.
Etawah	Bharthana, Jaswantnagar, Phaphund, Lakhana, Ekdil and Achhaldia.

<i>District</i>	<i>Name of Town Area Committee</i>
Kanpur	Bilhaur, Bithoor, Jhijnhak, Pokhrayan and Akbarpur.
Fatehpur	Khaga, Kishanpur and Kora Jahanabad.
Allahabad	Sirsa, Bharwari, Jhusi, Sarai Aqil, Bharatganj, Mau Aima and Phulpur.
JHANSI DIVISION	
Jhansi	Barwa-sagar, Ranipur, Gursarai, Moth, Chirgaon, Talbehat, Mahroni, Erich and Pali.
Jalaun	Madhogarh and Kadaura.
Hamirpur	Sumerpur and Sarila.
Banda	Naraini, Baberu, Rajapur and Manikpur-Sarhat.
VARANASI DIVISION	
Varanasi	Gangapur, Gyanpur, Gopiganj and Chakia.
Mirzapur	Kachwa, Robertsganj and Ghorawal.
Jaunpur	Machhlishahar, Marihaun, Kerakat and Zafrabad.
Ghazipur	Fatehpur-Dildarnagar, Bahadurganj, Zamania and Saidpur.
Ballia	Baragaon, Sahatwar, Bansdih, Maniar, Sikandarpur and Bilthara Road.
GORAKHPUR DIVISION	
Gorakhpur	Pipraich, Gola, Siswa Bazar, Nautanwa and Barhalganj.
Deoria	Lar, Ramkola, Rampur Karkhana, Captainganj and Rudrapur.
Basti	Mehdawal and Bansi.
Azamgarh	Dohrighat, Atraulia, Kopaganj, Phulpura, Sarai-Mir, Nizamabad, Mohammadabad, Amila and Mubarakpur.
LUCKNOW DIVISION	
Lucknow	Malihabad, Kakori, Amethi and Gosainganj.
Unnao	Purwa, Maurawan, Bhagwantnagar, Safipur and Bangermanau.
Rae Bareli	Dalmau, Lalganj, Maharajganj, Bachhrawan and Jais.
Sitapur	Laharpur, Mahmudabad and Tambaur.
Hardoi	Madhoganj, Mallawan, Pali and Beniganj.
Kheri-Lakhimpur	Kheri, Palia, Dhaurehra, Oel-Dhakwa and Singhai Bhiraure.
FAIZABAD DIVISION	
Faizabad	Akbarpur, Jalalpur, Goshainganj and Bhadarsa.
Gonda	Katra and Kharagpur.
Pratapgarh	Pratapgarh, Katra Medniganj and Manikpur.
Bara Banki	Bara Banki, Dewa, Fatehpur, Tikaitnagar, Daryabad, Satrikh, Zaidpur and Ramnagar.
Sultanpur	Amethi.

## 7. TOWN AND COUNTRY PLANNING DEPARTMENT

10.5.51. Beginnings of town planning were made with the enactment of the U.P. Town Improvement Act, 1919, and setting up of Improvement Trusts in various cities and towns, but the necessity of a town planning organization was realised in 1947 when a Town Planning Section was set up as a part of the Public Works Department. The following year, a separate Central Planning Office was established with an independent Town Planning Wing. It contributed towards extensive flood-relief work by preparation of plans for the resettlement of villages, preparation of model house designs and selection of new sites for the villages which had been washed away by the floods of 1948. A number of schemes for Relief and Rehabilitation Department were also prepared. With the increase in activities, the Town Planning Office was separated from the Central Planning Office in 1949 and was placed under the administrative control of the Municipal Department in the Government. In 1950, the Town Planning Office was converted into an independent Town and Village Planning Department, with the Town and Village Planner as its head. With the creation of a separate Housing Department in the Government in 1955 for co-ordinating various housing schemes, the organization of Town and Village Planning was also placed under it. The designation of the Town and Village Planner was changed in 1961 to Chief Engineer, Town and Village Planning, later renamed as Chief Engineer, Town and Country Planning Department, who is now designated as Chief Town and Country Planner, U.P.

10.5.52. Apart from numerous social and economic problems, the increase in population has also brought to forefront the problem of housing the population both in rural as well as urban areas of the State. The process of urbanisation brings a number of problems in its wake, which can broadly speaking, be divided into migration from villages to towns and cities, relative costs of providing economic and social services in the towns and cities of varying sizes, provision of facilities like water-supply, sanitation, transport and power; provision of housing; location and dispersal of industries and the planning of land uses. The situation is further aggravated by overcrowding, growth of slums and the fact that a significant portion of the population in many cities is without shelter. All this needs planned development of villages, towns and cities and remodelling of old places on a rational basis. The main objective of the organization is, therefore, to solve these problems by the physical planning of the uses of land by preparation of master plans defining and enforcing minimum standards for housing and other services to be provided for towns according to their requirements and their implementation.

10.5.53. The Department guides the policies regarding physical development by preparing master plans for rural and urban areas, thus controlling their haphazard growth, as also detailed plans for housing schemes for various agencies concerned with housing. Other

objectives of the Department include developmen of new urban areas, taking care of urban expansion, *i.e.*, overall planning of urban development in relation to housing, location of industries, etc., planning for integrated rural and urban development; carrying out regional surveys and related planning studies and preparation of regional plans relating to co-ordinated development of towns and villages around them in relation to each other. It advises other departments of the Government and local bodies regarding location, plans and designs of any sizeable buildings such as courts, hospitals, educational and cultural institutions, sewage disposal plants, transport offices and workshops and on architectural matters, approves building plans of local bodies for construction of residential houses, shops, markets, etc., out of grants and loans sanctioned by the Government. The Department scrutinises building bye-laws of local bodies before they are confirmed by the appropriate authority, and advises Government on matters connected with planning legislation. The Department also helps the co-operative housing societies and individuals in their building plans and gives technical advice in the matters relating to lay outs and building construction. The Chief Town and Country Planner has been associated with the authorities of Regulated Areas established under the U.P. (Regulation of Building Operations) Act, 1958, Municipal Corporations, Improvement Trusts, Housing and Development Board and *U.P. Sahkari Avas Sangh Ltd.*

10.5.54. The Chief Town and Country Planner, U.P. has his headquarters at Lucknow. He is assisted by two Senior Planners, one Architect Planner, one Senior Architect, two Town Planners, two Executive Engineers, eight Associate Planners, two Assistant Sociologists, one Statistical Officer and a number of Assistant Planners, Assistant Architects and Assistant Engineers. The actual preparation of Regional Plans and Master Plans is entrusted to Associate Planners, who are provided with adequate officers and staff posted at the Survey Divisions.<sup>41</sup> The Master Plans of Ghaziabad, Garhmukteshwar, Kichha, Bazpur, Badri Nath and Lucknow have already been prepared and approved by the Government. Those for Aligarh, Saharanpur, Meerut, Varanasi, Allahabad, Kanpur and Robertsganj have been prepared, while those for Moradabad, Bareilly, Agra and Mathura are under preparation. The Regional Plans for Gorakhpur-Deoria, Meerut-Bulandshahr, Hardwar-Dehra Dun and Rihand-Naini Regions are also under preparation. A Physical Survey Unit, headed by an Executive Engineer at the headquarters, carries out physical surveys of areas selected for preparation of Regional and Master Plans.

## 8. LOCAL SELF-GOVERNMENT ENGINEERING DEPARTMENT

10.5.55. The Department's main work is to improve environ-

41. In December, 1969, these Survey Divisions existed at Rihand, Meerut, Hardwar and Gorakhpur for Regional Plans and at Moradabad, Bareilly, Agra and Mathura for Master Plans.



mental sanitation by providing safe water supply and efficient drainage in urban and rural areas. A beginning of the Department was made in the year 1894 when Sanitary Engineering Branch was established under the administrative control of the State Public Works Department with a Sanitary Engineer to Government as its head, with headquarters at Allahabad. Up to 1900, the State had only eight water supply undertakings in the towns of Agra, Allahabad, Kanpur, Lucknow, Meerut, Mussorrie, Naini Tal and Varanasi. On the transfer of the administration of Municipal Boards to elected representatives of the public in terms of the Government of India Act, 1911, an incentive was provided to these Boards to instal more water works, but the progress remained slow owing to acute paucity of funds. The need for expanding the Sanitary Engineering Branch to afford facility in carrying out water supply and drainage schemes had, however, begun to be felt. The first Sanitary Division under the charge of an Executive Engineer was created in 1913-14 with headquarters at Saharanpur, later transferred to Meerut in 1926-27. It was followed by a Well Boring Operations Division in 1915-16 at Kanpur for the purpose of constructing tube wells for public water supplies, and by two more divisions in 1918 at Allahabad and Kanpur. The division at Kanpur was transferred to Lucknow in 1920-21. Preparation of schemes, execution of works and periodical inspection of water works plant then formed the responsibility of the Sanitary Branch. A scale of fees was prescribed, to be levied on the local bodies for preparation of their schemes and supervision of works except for the inspection of waterworks plants, which was undertaken by the Branch free of charge.

10.5.56. After the first World War, as things improved further both constitutionally and economically, the Branch was expanded in 1920, when a large number of water supply and drainage schemes were undertaken. The headquarters of the Branch were also transferred to Lucknow in 1924 along with the movement of other offices. Then followed the period of depression and as a measure of economy the Division at Lucknow was amalgamated with that at Allahabad, leaving in Lucknow a sub-office to look after the maintenance of the Ghaziuddin Hyder Canal and Gomati Weir. The Branch was later separated from the P.W.D. in 1927 and given the status and name of a full-fledged Public Health Engineering Department of the State Government under the charge of a Superintending Engineer.

10.5.57. With the achievement of Independence, opportunity was afforded to the Department in ample measure to implement the recommendations of the Bhore Health Survey and Development Committee and to undertake the heavy programme of post-war development schemes. The scheme of Agra drainage necessitated the establishment of a new division in 1947 at Agra. The local bodies electrification schemes in several towns necessitated the opening of a new division at Naini Tal in 1949. The status of the head of the Department was also raised to Chief Engineer in 1947 and the Department was renamed as Local Self Government Engineering Department

in 1951. The schemes under the Five Year Development Plans and the National Water Supply and Sanitation Programme necessitated increase in the size of the Department, which in 1962, consisted of four Circles under Superintending Engineers and sixteen Divisions under Executive Engineers and which rose to eight and forty respectively in 1969.

10.5.58. The functions of the Department, in short, are preparation and execution of water supply, drainage, sewage utilization, sanitation, electrification and other health works for local bodies (including Cantonment Boards), Government departments, Government sponsored *melas* and rural areas of the State; inspection, general supervision and repairs of all water works, sewage pumping stations, sewage utilization schemes and municipal owned electric supply undertakings; advice to Government and local bodies in respect of recruitment of technical staff and general supervision on their work and purchase of chemicals and electrical and mechanical equipment for waterworks. The Chief Engineer discharges these functions in respect of works of local bodies under the powers delegated to him by the Government under the provision of the U.P. Municipalities Act, 1916. The execution part of the works includes arrangement of funds from the Government in the shape of loans and grants.

10.5.59. Though the Department is not a commercial department, it charges from local bodies project fees for the preparation of projects and centage charges for the execution of works. The activities of the Department are carried out under the administrative control of Local Self-Government (B) Department of the Secretariat.

10.5.60. The Chief Engineer, Local Self-Government Engineering Department, has his headquarters at Lucknow. He is assisted at the headquarters by two Personal Assistants of the rank of Executive Engineer, two Superintending Engineers—one Civil and another Electrical and Mechanical, two Assistant Engineers, Civil and Electrical and Mechanical, an Accounts Officer and an Assistant Accounts Officer, along with a number of other technical and ministerial staff. The headquarters office consists of Establishment, Accounts and Audit, Works, Planning, Water Works, Drought, Miscellaneous and Record Sections.

10.5.61. *Circle Offices and Field Organization.* There are eight Circle offices each under the charge of a Superintending Engineer for execution of works entrusted to the Department and forty Divisions each under the charge of an Executive Engineer, details of which are given below:

<i>Name of Circle</i>	<i>Names of Divisions under each Circle</i>
1	2
I Circle, LSGED, Meerut.	1. Dehra Dun Division, Dehra Dun 2. IX Division, Saharanpur. 3. I Division, Meerut. 4. Ghaziabad Division, Ghaziabad. 5. XII Division, Mathura.

1	2
II Circle, LSGED, Allahabad.	<ol style="list-style-type: none"> <li>1. II Division, Allahabad.</li> <li>2. Temporary Construction Division, Allahabad.</li> <li>3. Allahabad Temporary Construction Division, Allahabad</li> <li>4. Scarcity Division, Mirzapur.</li> <li>5. Temporary Mirzapur Division, Mirzapur.</li> </ol>
III Circle, LSGED, Lucknow.	<ol style="list-style-type: none"> <li>1. XIII Division, Faizabad.</li> <li>2. IV Division, Lucknow.</li> <li>3. III Division, Kanpur.</li> <li>4. VIII Division, Etawah.</li> <li>5. V Division, Agra.</li> </ol>
IV Circle, LSGED, Bareilly.	<ol style="list-style-type: none"> <li>1. VI Division, Bareilly.</li> <li>2. XI Division, Moradabad.</li> <li>3. Naini Tal Division, Naini Tal.</li> <li>4. Almora Division, Almora.</li> <li>5. Pauri Division, Pauri.</li> </ol>
V Circle, LSGED, Jhansi.	<ol style="list-style-type: none"> <li>1. XIV Division, Jhansi.</li> <li>2. Maintenance Division, Jhansi.</li> <li>3. Ist Jhansi-Babina Division, Jhansi.</li> <li>4. IInd Jhansi-Babina Division, Jhansi.</li> <li>5. XVI Division, Banda.</li> <li>6. Additional Construction Division, Banda.</li> </ol>
VI Circle, LSGED, Lucknow.	<ol style="list-style-type: none"> <li>1. I Project Division, Kanpur.</li> <li>2. II Project Division, Kanpur.</li> <li>3. I Project Division, Lucknow.</li> <li>4. II Project Division, Lucknow.</li> <li>5. III Project Division, Lucknow.</li> </ol>
VII Circle, LSGED, Lucknow.	<ol style="list-style-type: none"> <li>1. VII Division, Varanasi.</li> <li>2. Temporary Construction Division, Varanasi.</li> <li>3. Ghazipur Division, Ghazipur.</li> <li>4. X Division, Gorakhpur.</li> </ol>
VIII Circle, LSGED, Lucknow.	<ol style="list-style-type: none"> <li>1. Pithoragarh Division, Pithoragarh.</li> <li>2. XV Division, Chamoli.</li> <li>3. I Survey &amp; Investigation Division, Lucknow.</li> <li>4. II Survey &amp; Investigation Division, Lucknow.</li> <li>5. III Survey &amp; Investigation Division, Naini Tal.</li> </ol>

Each Division has a number of Assistant Engineers (both Civil as well as Electrical & Mechanical) along with overseers and other technical and ministerial staff depending upon the workload of each Division.

10.5.62. A Water and Sewerage Board was to be set up in the State to co-ordinate the establishment and working of the connected public utility services of various local bodies. The Board was also aimed at increasing the efficiency of these services as also the revenue of local bodies, most of which were running the services at a loss. A Bill for the purpose was going to be moved in the Legislature.

## Acts, Rules, Regulations and Manuals

<i>Sl. No.</i>	<i>Name of Act, Rule, Regulation, etc.</i>	<i>Year</i>	<i>Authority under which framed or enacted</i>
1	2	3	4
<i>Acts</i>			
1.	Sarais Act	1867	Govt. of India
2.	U.P. Town Areas Act	1914	State Govt.
3.	U.P. Local Rates Act	1914	—do—
4.	Local Authorities Loans Act	1914	Govt. of India
5.	U.P. Municipalities Act	1916	State Govt.
6.	U.P. Town Improvement Act	1919	—do—
7.	U.P. Melas Act	1938	—do—
8.	U.P. Fire Service Act	1944	—do—
9.	Local Authorities Loans (U.P. Amendment) Act.	1918	—do—
10.	U.P. Hastinapur Town Development Board Act.	1954	—do—
11.	U.P. (Regulation of Building Operations) Act.	1958	—do—
12.	U.P. Nagar Mahapalika Adhinyam	1959	—do—
13.	U.P. Slum Clearance and Improvement Act.	1960	—do—
14.	U.P. Local Bodies (Appointment of Administrators) Act.	1961	—do—
15.	U.P. (Nagar Kshettra) Bhumi aur Bhawan Kar Adhinyam	1962	—do—
16.	U.P. Sthaniya Nikaya (Alpakalik Vyavastha) Adhinyam.	1963	—do—
17.	U.P. Avas evam Vikas Parishad Adhinyam (U.P. Housing and Development Board Act)	1965	—do—
18.	U.P. Local Self-Government Laws (Amendment) Act	1966	—do—
19.	U.P. Water and Sewerage Board Bill	Under preparation	—do—
<i>Rules, Regulations and Manuals</i>			
1.	Municipal Manual, Vol. I & II (contains all rules & regulations on municipal matters).	—	State Govt.
2.	Notified Area Manual	—	—do—
3.	Town Area Manual	—	—do—
4.	Improvement Trust Manual	—	—do—
5.	U.P. Magh Mela Rules	1940	—do—

1	2	3	4
6.	Nazul Manual	1953	State Govt.
7.	Rules for Regulating the Distribution of Road Grant to local bodies in the State.	1959	— do —
8.	Rules and Orders issued under the U.P. Nagar Mahapalika Adhiniyam,.	1959	— do —
9.	U.P. (Regulation of Building Operations) Regulations	1960	— do —
10.	Directions issued under the U.P. (Regulation of Building Operations) Act.	1960	— do —
11.	Rules for disbursement of loans under Low Income Group Housing Schemes framed under U.P. Corporations Act.	1962	— do —
12.	U.P. Palika (Centralised) Services Rules	1966	— do —

ANNUAL ADMINISTRATION REPORTS<sup>42</sup>

Sl. No.	Title	Period	When started	By whom compiled
1.	Review on the working of District Boards in U.P.	April March	1892	State Government
2.	Annual Administration Reports of Municipalities and Sanitary Report	April-March	1868	— do —
3.	Annual Report of Local Self-Government Engineering Department	April-March	1894	Chief Engineer, Local Self-Government Engineering Department
4.	Annual Administration Report of the Town & Country Planning Department	April-March	1950	Chief Town and Country Planner, U.P.
5.	Annual Administration Report on the working of Improvement Trusts.	April-March	1921	State Government
6.	Activities of the U.P. Local Self-Government Department	—	—	State Government

42. The publication of reports at Sl. No. 1, 2 and 5 has ceased. Annual Reports on working of Municipal Boards are usually published by each municipality separately. Report at Sl. No. 6 now covers practically for all activities under Local Self-Government, Municipal and Housing Departments.

## General Administration and other Miscellaneous Departments

### 11.1. GENERAL ADMINISTRATION DEPARTMENT

11.1.1. The General Administration Department is one of the oldest departments of the Secretariat and has been all through under the Chief Secretary to Government. A department known as 'General Department' existed as early as 1860 and dealt with a number of subjects of a diverse nature. The first edition of the Secretariat Manual issued in 1903 shows the name of the department changed to General Administration Department. It dealt with subjects such as Arbitration, Army, Archaeology, Circulars and Notices, Printing Presses, Carriage, Correspondence, Court Hours, Court Language, Deeds and other Instruments, District Offices, Deaths, Examinations, Important occurrences, Mobilization, Official papers, Opium settlements or weighments, Petroleum, Conduct of Government Servants, Religious Fairs, Fires, Forts, Factories, Holidays, Newspapers, Shooting passes, Residences for government officials, Tours, Transport, Wild animals, Charitable endowments and Foreigners and their movements were added subsequently. With the introduction of diarchy from January, 1921, under the Government of India Act, 1919, the work of Political Department was also entrusted to it.

11.1.2. A process of transfer of subjects from it to other departments has also throughout been in operation. While a number of matters dealt with by it have in the natural course either ceased to be of active interest or have otherwise become defunct, this Department has continually been called upon to handle matters of current interest as well. As the name of the Department itself implies, being a department dealing with miscellaneous subjects relating to general administration, it continues to have the peculiarity of handling a very large variety of work,—for instance, protocol and visits of important persons and drawing and disbursing funds incurred as expenditure borne by the Government of India on their visits throughout the State. State Guests, liaison with Army and Posts and Telegraphs authorities, matters connected with the ex-States and enclaves merged in Uttar Pradesh and sanction of compensation and pensions to all discharged employees of those States, cinema and taxation on



entertainment and betting. No other department of the Secretariat has such a conglomeration of subjects and in such a large number which have in most cases no connection with each other.

11.1.3. The Cinematograph Act was enacted in 1918 to deal with two separate matters, viz., (1) examination and certification of films as suitable for public exhibition and (2) regulation of cinemas including their licensing. These two functions, however, came to be demarcated under the Constitution of India inasmuch as the sanctioning of cinematograph films for exhibition continued to be the concern of the Central Government and that relating to licensing and regulation of cinemas fell in the State List. In order, therefore, to obviate the difficulties experienced in the administration of the said Act of 1918, the Central Government brought out a new legislation in 1952 separating the provisions of the Union List from the State List. The new Act known as the Cinematograph Act, 1952, repealed the provisions in the Cinematograph Act, 1918, relating to examination and Certification of films as suitable for public exhibition.. The State Government were required to undertake new legislation particularly in regard to the regulation and licensing of cinemas. Accordingly, the U.P. Cinemas (Regulation) Act, 1955, was enacted in this State for the specific purpose of regulating the cinemas including their licensing. This Act is actually administered through the agency of District Magistrates who are the licensing authorities under the Act in their respective jurisdictions. While the day-to-day enforcement of various provisions of this Act is done by the District Magistrates, who have powers to restrict certain exhibitions in certain circumstances, the overall control is exercised by the State Government. The powers and functions relating to censorship and certification of films for public exhibitions continue to vest in the Central Government, who have framed a set of rules under the Cinematograph Act, 1952, which are applicable throughout India.

11.1.4. During the period of the Second World War, the Department handled the work concerning Civil Pioneer Force and resettlement of Burma evacuees. The Ecclesiastical Department also ceased to exist soon after the change of power and the work left over by it was entrusted to this Department. This was followed by the merger of princely States in Uttar Pradesh as were geographically contiguous to it and all work relating to such mergers was handled by this Department. The U.P. Government Employees' Welfare Corporation was also established in January, 1965 through this Department, but the work was later transferred to the Food and Civil Supplies Department in February/March, 1966.

11.1.5. The Department deals broadly with cinematograph and matters relating to cinemas, army matters; Territorial Army; manoeuvres, field firing and artillery practices; military camping grounds; political pensions and *wasikas*,<sup>1</sup> boundary between Uttar Pradesh and

1. *Wasika* or *Wasiqa* is an Arabic word which means 'a document which has been strengthened (by writing) or written agreement, a bond or obligation.'

Nepal and other adjoining States of the Union; evacuees from Burma and other war theatres; pilgrimage abroad and State Haj Committee; office hours and holidays—general as well as those declared under the Negotiable Instruments Act; Zonal Council; scholarships to boys studying in military schools; ceremonial visits, Coat of Arms, National Anthems; protocol, warrant of precedence, visits of important persons to the State and State Guests; Census; Entertainment and Betting Tax; Post and Telegraph; Standing Committee of Legislature on General Administration; destruction of wild animals; U.P. Citizens Council; merged States and pensions to their ex-employees; Manual of Government Orders; U.P. Sainik School, Lucknow and Nehru Institute of Mountaineering, Uttar Kashi. The Government of India also run a Sainik School at Ghorakhal, district Naini Tal. All State level work relating to that school and giving of grants, etc., are attended to by this Department.

11.1.6. The Department exercises administrative control on the Entertainment and Betting Tax Commissioner, dealt with earlier in Chapter 7; Wasika Office, Lucknow; Agency office, Varanasi, as also on the U.P. Sainik School, Lucknow and the Nehru Institute of Mountaineering, Uttar Kashi.

*Wasika Office, Lucknow and Agency Office, Varanasi*

11.1.7. A number of *wasikas* and political pensions are paid by the Government of India to the members of the ex-Royal families of Avadh and Delhi and their dependants. Payment of *wasikas* to the members of the ex-Royal family of Avadh and of the pensions granted by the ex-Rulers of Avadh to the grantees resident at Lucknow and Faizabad are made through the Wasika Office, Lucknow. This office was taken over by the Government of India as a regular Government establishment in 1932. Similarly, a number of political pensions are paid to the members of the ex-Royal family of Delhi, who are resident at Varanasi. The school-going children of these political pensioners are also paid scholarships by the Government of India. These payments are made through an office located at Varanasi and known as Agency Office. The overall control on both the Wasika Office and the Agency Office used to be exercised by the Government of India. The State Government exercised control over them only as agents of the Central Government. This 'agency' control involved several difficulties. An agreement was later reached between the Government of India and the State Government that for all intents and

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*(Continued from previous page)*

The stipends paid to relatives and successors of the dependants of the rulers of Avadh on the basis of agreements entered into between some of the rulers of Avadh and the East India Company or the British Government, are, therefore, called *Wasikas*. Political pensions are those which were granted to the relatives of the rulers of Avadh, members of Delhi ex-Royal family and others by the rulers of Avadh or the British Government for varied considerations. (See also paragraph 11.1.7). Political pensions to fighters of freedom are distinct from these pensions and are dealt with in Home (General) Department. (See Chapter 6.3, p. 172).

purposes, administrative control of these offices should be transferred to the State Government and that the entire expenditure on these offices will be reimbursed by the Government of India to the State Government. The transfer took effect from April 1, 1957. Wasika Office, Lucknow, is looked after by a Wasika Officer, who is usually a retired or serving Deputy Collector, under the overall charge of the Commissioner, Lucknow Division. The Agency Office at Varanasi, which was previously under the control of the Political Agent at Banaras is now under the direct supervision of the Commissioner, Varanasi Division.

*Uttar Pradesh Sainik School, Sarojani Nagar, Lucknow*

11.1.8. The U.P. Sainik School, established in July, 1960, under the charge of a Principal, is run under a registered U.P. Sainik School Society as an autonomous body managed by a Board of Governors with the Chief Minister as Chairman and the Chief Secretary to the State Government as Vice-Chairman. It provides public school education for boys who desire subsequently to enter India's Armed Forces as Commissioned Officers through the National Defence Academy or by direct recruitment. The course of study at the School is, however, such that, should a boy fail in the competitive examinations for admission into the Armed Forces, he will be in a favourable position for entry into a regular educational institution as if he had been educated at any public school. Land and building of the Munshi Land School belonging to the Post-War Services Reconstruction Fund Trust have been purchased for housing the Sainik School. Admissions to the School of boys of age not less than 10 years and six months and not more than 12 years and who have passed 5th class of a recognised school are made on the result of a competitive examination followed by a *viva voce* test. It is a wholly residential institution and an all inclusive fee of Rs. 1,000 *per annum* is charged from each boy, which includes charges on account of tuition, lodging, boarding, uniform, books and stationery, travelling in the course of studies, sports and medical care. The amount is concessional. The actual expenses are more than double that amount and the remainder is met by the State Government. The duration of the course is five years to enable a student to pass an examination equivalent to the High School examination in the fifth year and become eligible for the Union Public Service Commission Examination.

*Nehru Institute of Mountaineering, Uttar Kashi*

11.1.9. This Institute, established in September, 1965, under the charge of a Principal, is run under a registered Nehru Institute of Mountaineering Society. The object of the Institute is to encourage and promote the science and art of mountaineering among its members and such outsiders as may be specially enrolled as students in order that the enterprising members of the community may take a healthy interest in the development of mountaineering activities as a sport or

as a scientific pursuit. The Institute undertakes courses of training in comprehensive professional training for those who wish to attain high proficiency in mountaineering; short intensive courses for civil and military personnel; short courses for students and teachers interested in mountaineering, character training through self-discipline, team work, adventure, hardships and risks; training of guides and winter sports in the mountains, etc. Representatives of the State Government, out of which one is to be from the Police Department and the other from Forest Department, as also a representative of the Ministry of Defence, Government of India, are on the Executive Council of the Institute. The Government of India and the Government of Uttar Pradesh contribute to the funds of the Institute. The Government of India can in consultation with the Government of Uttar Pradesh, issue directives to the Executive Council concerning the affairs and management of the Institute, which the Council has to carry out. The Executive Council is assisted by a Local Advisory Committee which has been set up with the Deputy Commissioner, Uttar Kashi, as its Chairman. Mountaineering expeditions organized by registered associations, clubs or organized bodies formed with the aim of popularizing the sport of mountaineering, or any educational institution interested in it, or in research in mountainous regions, are allowed facilities by the State Government under the Mountaineering Expeditions (Grant of Facilities) Rules, 1969. The State Government provides facilities to any local expedition organized by an association belonging to Uttar Pradesh for scaling a peak of over 20,000 feet height in the mountains of Uttar Pradesh or in any part of India, or to an outside expedition organized by any association belonging to any other State for scaling such peaks in the regions of Himalayas in Uttar Pradesh, to the extent of lump sum cash grant not exceeding Rs. 2,000 for each expedition, free transport facilities from the last railway terminus in Uttar Pradesh to bus terminus in hill region and any other facility as may be decided in individual cases. Applications for grant of facilities are to be addressed to the Government in General Administration Department. Only such expeditions are eligible for grant of facilities as have been sponsored or approved by the Indian Mountaineering Foundation, c/o Ministry of Defence, Government of India, New Delhi, and, in the case of expeditions belonging to other States, also bear recommendations of those State Governments.

### *Merger of States and Enclaves*

11.1.10. The accession of Indian States to the "Dominion" of India, marked the first phase of fitting them into the constitutional structure of the country. The second phase that rapidly followed was the process of integration. One form of integration was the merger of the States with the 'Provinces' geographically contiguous to them. The following States merged into U.P. on dates shown against each:

- |  |                   |
|--|-------------------|
| (1) Tehri-Garhwal  | August 1, 1949.   |
| (2) Banaras  | October 15, 1949. |
| ✓(3) Rampur  | December 1, 1949  |
| (4) A number of smaller States of Bundelkhand and Baghelkhand which previously formed part of Vindhya Pradesh. | January 1, 1950   |

Consequent on merger of the Tehri-Garhwal into U.P., the Ministry and the Constituent Assembly functioning in that State was dissolved and the power of the ruler and the Government of the erstwhile State vested in the Government of U.P. Tehri Garhwal was then converted into a new district of U.P. Similarly, Rampur was turned into a new district. The territories of the Banaras State were integrated in the Varanasi district. The villages of the "enclave" States were absorbed into the districts of Banda, Hamirpur, Jalaun and Jhansi.

11.1.11. The Instruments of merger executed by the Rulers not only provided for the integration of the State and for the transfer of power, but they also guaranteed to the Rulers their privy purse, succession to *gaddi*, rights and private privileges and full ownership, use and enjoyment of all private properties. They also guaranteed either the continuance in service of the permanent members of the public services on conditions not less advantageous than those on which they were serving on particular specified dates prior to merger or payment of reasonable compensation. The continuance of pensions, gratuities and leave earned by and due to them were also guaranteed. Another result of merger was the integration of the finances of the former States into those of U.P. All balances in treasuries, sub-treasuries, banks and other places, permanent advances, deposits, securities and other valuable assets held on account of each State vested in U.P. from December 1, 1949 and were included in the State Accounts as in the case of other districts. Thus, in consequence of the merger of the States and the agreements entered into with their rulers, responsibility in respect of numerous matters devolved on the State Government.

11.1.12. The general principles relating to merger and the private properties, privileges, rights, etc., of the rulers, and certain other matters with which other departments are not directly concerned, have continued to be dealt with in the General Administration Department. These include payment of compensation to discharged employees; disputes between Rulers and their near kinsmen such as heir apparent, *Rajmats*, brothers, etc., devolution of the hereditary allowances between the successors of the deceased *pattidars* of Dhurwai; private properties; privileges of Rulers; privy purses of Rulers; allowances to Kinsmen and servants of Rulers; time honoured charities in Rampur; grant to Maharaja of Banaras for *Ramlila*; Temple Trust, Tehri-Garhwal; Rainpur Temple Trust; Management of Temples and religious institutions in enclaves and budget relating to territorial and political matters.

*U.P. Citizens Council ✓*

11.1.13. This Council was set up in November, 1962 with the Governor as patron, Chief Minister as Chairman, Shri C. B. Gupta, M.L.A. as Working Chairman and a non-official, Shri Nawal Kishore M.L.A., as General Secretary, to sustain public enthusiasm and morale during emergency, to create public opinion against anti-social elements, to provide amenities for the *jawans* and their families, to assist in the rehabilitation of East Pakistan refugees and to mobilise and co-ordinate all civilian efforts for defence purposes. Lately, the Council also took upon itself the drought relief work. A few small Committees were formed to look after these objects. The Council gets grants from the Central Council at New Delhi, Chief Minister's Defence Purposes Fund and public donations. The Secretary to Governor acts as its Treasurer. The activities of the Council have, however, decreased gradually since 1967.

11.1.14. The Department, which is in the portfolio of the Chief Minister, is under the overall control of Chief Secretary to Government. It is supervised by the following:

Deputy Secretary (also for Border Development Department)	1
Under Secretary (also for Confidential Department)	1
Under Secretary-cum-Protocol Officer to Government, Uttar Pradesh	1
Superintendent	1

**Acts, Rules and Manuals relating to General Administration Department**

<i>Sl. No.</i>	<i>Acts, Rules and Manuals</i>	<i>Year</i>	<i>Authority under which enacted or framed</i>
1	2	3	4
<i>Acts</i>			
1.	Oudh Wasika Act	1886	Govt. of India
2.	Oudh Amanati Notes Act	1918	State Govt.
3.	Indian Merchant Shipping Act (in so far as pilgrimage overseas is concerned).	1923	Govt. of India
4.	Entertainment and Betting Tax Act	1937	State Govt.
5.	Manoeuvres, Field Firing and Artillery Practice Act	1938	Govt. of India
6.	Territorial Army Act	1948	do.
7.	Cinematograph Act	1952	Govt. of India
8.	U.P. Prohibition of Smoking (Cinema House) Act	1952	State Govt.
9.	U.P. Cinemas (Regulation) Act	1955	State Govt.



1	2	3	4
<i>Rules and Manuals</i>			
10. U.P. Totalisator & Betting Tax Rules	1937	State Govt.	
11. U.P. Cinematograph Rules	1958	—do—	
12. U.P. Entertainment Tax Rules	1960	—do—	
13. U.P. State Guests Rules	1961	—do—	
14. Wasika Manual	1937	—do—	
15. Manual of Government Orders	1954	—do—	
16. Orders Regarding Ceremonials	1955	—do—	
17. Merged States Manual	1956	—do—	
18. Flag Code	1960	—do—	
19. Instructions regarding Courtesies	1963	—do—	
20. President's Warrant of Precedence	1964	Govt. of India	
21. Mountaineering Expeditions (Grant of Facilities) Rules.	1969	State Government	

#### Annual Administration Report

<i>Title</i>	<i>Period</i>	<i>When started</i>	<i>By whom compiled</i>
Annual Report of the State of Uttar Pradesh	April-March	1859	Director of Information, Uttar Pradesh.

## 11.2. GENERAL ADMINISTRATION (REORGANIZATION) DEPARTMENT & ORGANIZATION AND METHODS DIVISION

11.2.1. This Department and the Division owe their origin to a recommendation made in February, 1954, by the Disciplinary Proceedings Inquiry Committee set up by the State Government in 1952 to examine the procedure for disciplinary inquiries against government servants and also to suggest measures for improving efficiency and integrity of public services. The Committee had recommended the establishment of a Methods Unit for taking up 'organization and methods' work in the State.

11.2.2. The functions of such a unit in the expanding activities of Government are to make scientific studies of the procedures of administration and to achieve ways and means by which they can be made more efficient and more economical. The idea was not new to the State. An Inspectorate of Offices had been set up by the State Government as early as 1923 under the administrative control of Finance Department to direct its attention, among other matters, to simplification in methods of work and reduction of clerical labour, though by the passage of time, the 'O&M' aspect came to be ignored by the Inspectorate and it confined itself mainly to routine inspection of general business in offices.

11.2.3. The recommendation made by the Committee, mentioned above, was based on a similar recommendation made by the Planning Commission, Government of India, and by the late Mr. Paul H. Appleby, which resulted in the creation by the Government of India of an Organization & Methods Division in March, 1954. In Uttar Pradesh it was implemented in October, 1955, by appointing a whole-time Commissioner for Reorganization-cum-Director, O&M Division, who was also *ex-officio* Secretary to Government in Chief Secretary's Branch functioning directly under the Chief Minister. His main assignments were to initiate and scrutinize proposals for reorganization and rationalization of Collectorates and offices of heads of departments and various branches of the Secretariat. The Inspectorate of Offices, particulars about which are given later, was also placed under his control through a newly formed General Administration (Reorganization) Department so that it could work in collaboration with the O&M Division which, for all practical purposes, formed a part of this new Department. The post of whole-time Director and Commissioner for Reorganization, however, continued only up to February, 1958, when the charge of the Division was held by a Secretary or a Joint or Deputy Secretary under the overall control of the Chief Secretary to Government.

11.2.4. With a view to generating effort for efficiency from within the departments in the Secretariat, the State Government made a start in May, 1958, by designating senior officers in each Branch of the Secretariat as O&M Officers who were expected to devote themselves,

in addition to their own duties, to the study of work in their Branches and to devise ways and means for its more expeditious, efficient and economic disposal. Some of their other duties were (i) inspection of departments with a view to discovering defects and suggesting improvements as also the enforcement of existing provisions of the Secretariat Manual, (ii) investigation into the causes of deterioration of efficiency in the Secretariat, locating defects, devising remedial measures and making efforts to awaken consciousness for efficiency in the staff, (iii) maintenance of healthy contacts with staff, (iv) examination of proposals for additional staff in the departments, (v) examination of arrears lists and other returns to be prepared by departments regarding the work done there, and (vi) convening periodical discussions in their Branches for re-appraising the existing provisions in respect of efficiency and economy and for considering measures necessary to remove defects detected in the working of offices. Due to lack of time available to these officers, this system was not found very effective. In April, 1960, therefore, a nucleus of whole-time staff was formed in the O & M Division to take up the work of investigation in the existing official machinery and its procedures through 'work-study' of organizations and their units, in which the entire process of work is studied in detail and then scientific methods are applied to discover what modifications or omissions or additions in the process involved are necessary in order to reach the optimum of efficiency. These studies also enable the Division to find out better ways of doing things, eliminate unnecessary work, avoidable delays and other forms of waste and ensure the best possible use of human and material resources. Studies connected with the requirement of officers and staff, on the basis of which the Department advises the Finance Department and other departments in that behalf, as also for location of surplus hands in various establishment in the Government, fixation of norms of work for various categories of employees—both technical and non-technical, simplification in procedures and their streamlining with a view to securing speedy disposal of business by reducing unnecessary paper work, delegation of powers, simplification of forms and reduction in their number, etc., are also carried out. Similar work in departmental offices outside the Secretariat is also carried out by the O & M Division of its own and by the agency of the Inspectorate of Offices. Employees giving constructive suggestions for improving efficiency, economy and public convenience are rewarded.

11.2.5. With the object of providing continuing leadership in securing steady improvement in administrative efficiency and standards, a Committee on Administration was set up in December, 1960, under the chairmanship of the Chief Secretary to Government, with a few senior Secretaries to Government as its members, at the peak of the O & M Division having overall responsibilities for effective organization of government machinery as a whole and Organization and Methods in particular. The Committee was intended to resolve any difference of opinion between various departments and the

O & M. Division and was charged with the responsibility for proposing measures for improvement in the standard of administration and for reviewing the actions taken by various departments. Since, however, meetings of all Secretaries to Government were subsequently held regularly under the chairmanship of the Chief Secretary to Government, functions of this Committee were more or less performed through those meetings. An Economy Committee consisting of Chief Secretary and Secretaries to Government in the Finance and the Planning Departments was also constituted in 1964, which met from time to time and, in consultation with the departmental Secretaries and officers, affected substantial economies in practically every department. The task of finding alternative employment for persons, who were found surplus to requirements as a result of curtailment or abandonment of various schemes as an economy measure, devolved on this Department.

11.2.6. The Government of India, Ministry of Home Affairs, Department of Administrative Reforms, had set up in their Resolution dated January 5, 1966, an Administrative Reforms Commission under the chairmanship of Sri Morarji R. Desai, M.P.,<sup>2</sup> to examine the public administration of the country and make recommendations for reforms and re-organization, where necessary. In particular, so far as the State Government were concerned, the Commission were to consider the administration at the State level and their procedures of work, the machinery for planning at all levels, Centre-State relationships, financial administration, personnel administration, economic administration, district administration, agricultural administration and problems of redress of citizens' grievances. A special unit was set up in this Department in April, 1966, to handle the work which the State Government had to do in that connection.

11.2.7. The Department and the Division, which are headed by the Chief Secretary to Government, consist of:<sup>4</sup>

Under Secretary (part time)	1
Officer on Special Duty (O&M)	1
O & M Officer	1

11.2.8. An Intelligence and Evaluation Cell was also constituted in September, 1966, as an experimental measure, to examine the existing rules and procedures in the Transport Commissioner's Organiza-

2. Work relating to this Committee was transferred to Finance Department in June, 1967. See Chapter 4.2, p. 89.

3. On taking over as Deputy Prime Minister of India in March, 1967, Sri M.R. Desai relinquished the Chairmanship of the Commission. The next Chairman with effect from March 17, 1967, was Sri K. Hanumanthaiya, M.P.

4. Changes in the strength of officers in the Department and the O & M Division have taken place from time to time. Substantial reduction in officers and staff was made in June, 1967. The strength indicated here is that obtaining since then.

A decision was, however, taken by the Government, while the book was in proof stage to name the Department as 'Department of Administrative Reforms' under a Commissions-Secretary. The change was likely to be effective in May, 1970.

tion at all levels, including Roadways, with a view to simplify, streamline and plugging loopholes in the various rules and procedures. The Cell, with two officers of the Transport Organization, designated as Officers on Special Duty, was placed under the control of General Administration (Reorganization) Department quite independent of the Transport Commissioner. Other functions of the Cell, broadly, were to make detailed work-studies with a view to suggest standards or norms of work for various functionaries at various levels, wherever possible; to conduct internal, concurrent and continuous administrative and technical audit (in its broadest sense) of the functions of the organization with a view to devise steps for checking irregularities, preventive harassment to operators and users, proper enforcement of various Acts and Rules, stopping leakage of revenue, making optimum use of available resources of men and material and maximum possible satisfaction to the public and to give technical assistance to the Directorate of Vigilance in the matter of complaints against the staff in the Transport Organization. The Cell, which was later transferred to the office of the Transport Commissioner, functioned till December, 1968.<sup>5</sup>

#### INSPECTORATE OF OFFICES, UTTAR PRADESH

11.2.9. The Inspectorate of Offices functions as an independent outside agency for systematic periodical inspections of Government offices in the State, such as the offices of all heads of departments, all Commissioners of Divisions, Forest offices and all offices of various departments in the districts. Periodical inspection of work of assistants in an office used to be the primary responsibility of the departments concerned. With a view to establishing a co-ordinating independent inspecting agency, the Inspectorate of offices was brought into existence in 1923 under the administrative control of the Finance Department with the Chief Inspector of Government Offices at its head. The scope of inspection of offices at that time was limited to about 800 offices. As a measure of economy the post of Junior Secretary, Board of Revenue-cum-Chief Inspector of Stamps was amalgamated with that of the Chief Inspector of Offices in 1934 and later in 1938 the post of Inspector-General of Registration, U.P. was also amalgamated with it. As the Chief Inspector of Offices held three other offices, the Inspectorate of Offices had become a weak organization and with a small inspecting staff, regular inspections of offices had either fallen into disuse or had become ineffective. The U.P. Disciplinary Proceedings Inquiry Committee appointed by Government in 1952 recommended that while the responsibility for the regular internal inspections was on the head of the office as part of his general responsibility for the efficient working of his office, there was need for expansion of the independent outside agency for inspections. It was, accordingly, decided that there should be a whole-time Chief Inspector of Offices working under the Chief Secre-

5. See foot note no. 20 under paragraph 6 of Chapter 10.4 on Transport Department, p. 608.

tary to Government. The change was effected in October, 1955 when the Inspectorate was placed under the Commissioner for Reorganization in the Chief Secretary's Branch to work in collaboration with the O&M Division and a whole-time Chief Inspector of Offices was appointed in April, 1956. The number of Inspectors of Offices was also increased.

11.2.10. The Chief Inspector of Offices and his Inspectors have free access to every Government office in the State except Treasuries. If the head of an office does not agree with the suggestions or recommendations of the Inspectorate, it is open to the Chief Inspector of Offices to refer the issue for decision of the Government. Proposals for additional staff, including determination of the strength of a cadre of a service and cases of conversion of temporary posts into permanent ones in subordinate offices are referred by the Government to the Inspectorate for examination. The Inspectorate undertakes such special inquiries only when references in that behalf are made to it by the administrative departments of the Government with the concurrence of General Administration (Reorganization) Department. The scope of inspections of the Inspectorate extends to-day to over 4,800 offices in the State. The duties of the Inspectors of Offices are to carry out periodical inspections of Government offices, and in particular, to direct their attention to the following matters:

- (a) Due observance of all instructions issued for the conduct of work.
- (b) Simplification and reduction of clerical labour.
- (c) Adoption of direct in place of circuitous methods of work.
- (d) Comparison of statistics of work and the existence of important variations from the accepted standards.
- (e) Value of all returns and reports.
- (f) Removal of unnecessary forms.
- (g) Modification of forms with a view to saving of labour and paper.
- (h) Eradication of multiple checks and unnecessary duplication of work.
- (i) Extravagance in the use of forms and stationery, postage labels and telegrams.
- (j) Collection and sale of waste paper and other waste materials.

In all these matters it is the duty of the Inspectors to seek for improvements, to take all steps necessary to bring them into effect and to assist the clerks in adopting them. Their duty is to advise and assist and not merely to criticise and find fault.

11.2.11. The Inspectorate has head-quarters at Allahabad. The



Chief Inspector of Offices is assisted by twelve Inspectors of Offices, including an Inspector-Superintendent of Offices attached to the headquarters of the Chief Inspector who assists the latter in day-to-day work of the Inspectorate. The Inspectorate is divided into eleven Circles, each under the charge of an Inspector of Offices with jurisdictions as given below:

<i>Circle with headquarters</i>	<i>Jurisdiction</i>
I—Meerut	Meerut, Bulandshahr, Muzaffarnagar, Saharanpur, Dehra Dun, Tehri-Garhwal and Uttar Kashi.
II—Agra	Agra, Mathura, Mainpuri, Etah and Aligarh.
III—Jhansi	Jhansi, Jalaun, Banda and Hamirpur.
IV—Kanpur	Kanpur, Unnao, Farrukhabad and Etawah.
V—Allahabad	Allahabad, Fatehpur, Pratapgarh and Rae Bareilly.
VI—Varanasi	Varanasi, Ghazipur, Mirzapur, Ballia and Jaunpur.
VII—Gorakhpur	Gorakhpur, Basti, Deoria and Azamgarh.
VIII—Faizabad	Faizabad, Bahraich, Gonda, Sultanpur and Bara Banki.
IX—Lucknow	Lucknow, Sitapur, Hardoi and Lakhimpur-Kheri.
X—Bareilly	Bareilly, Shahjahanpur, Rampur, Moradabad, Pilibhit and Budaun.
XI—Nainital	Nainital, Almora, Pauri-Garhwal, Bijnor, Pithoragarh and Chamoli.

Each Inspector of Offices has a Camp Clerk and a peon and maintains a small office of his own. All the offices falling within a Circle are inspected by an Inspector according to a fixed roster. Programme of inspections is approved by the Chief Inspector who also allots to the Inspectors various staff enquiries to determine staffing needs of different departments and offices, as and when required by Government.

11.2.12. While inspecting the various offices, apart from looking into features peculiar to each department, the Inspectors of Offices pay particular attention to matters like organizational improvements, un-economic and wrong use of staff, simplification of methods, delegation of administrative and financial powers, elimination of unnecessary returns, procedural defects, completion of various prescribed registers and records, compliance of all types of rules and regulations concerning office management, completion of service books and rolls, pension cases, register of lands and buildings and government properties, supply of uniforms; Co-operative, Agricultural and Industrial loans and tagavi accounts, rewards granted to police personnel, financial irregularities, utilisation of grants-in-aid, un-economic use of public funds, infructuous expenses, detection of excess payments, adjustments of advances, treasury verification of receipts and expenditure, arrear claims of government servants, excise and sales

tax dues, security accounts, losses, thefts, misappropriations and embezzlements, Court work, deficiency in court fee stamps, account of law charges advanced to Standing Government Counsel, extravagant expenditure, etc. The Inspector of Offices have been declared as persons in-charge of public offices under section 33 of the Indian Stamp Act and in that capacity, if it appears to them during the course of their inspections that any instrument or deed is not stamped with a stamp of proper value and description required by the law at the time of its execution, they are authorized to initiate action to impound the same. Government have also specially entrusted to the Inspectorate certain duties in regard to tour charges and other account matters. Irregularities discovered are required to be reported to the immediate superior of the office concerned and if the action taken by him is not considered adequate the Chief Inspector brings the matter to the notice of Government in the administrative department..

#### *Publications*

- (i) List of Government Offices and Courts in Uttar Pradesh; (1957).
- (ii) Office Manual of the Inspectorate of Government Offices, U.P., (1958).

### 11.3. PETITIONS DEPARTMENT

11.3.1. The Petitions Department owes its existence to a minute recorded on August 28, 1947 by the late Srimati Sarojani Naidu, then Governor of the State, which ran as follows:

"Since August 15th, the day of India's Freedom, and the day on which I took over as Governor of the United Provinces, I have received hundreds of petitions in Hindi, Urdu and English from all over the Province. These have been acknowledged and sent to the Departments concerned in the Civil Secretariat for disposal. I do not, however, feel happy about this hackneyed phrase "for disposal". I am anxious that every one of these petitions should receive the earliest and the most sympathetic consideration in whichever department it is dealt with. It is only when an aggrieved party who petitions is quickly relieved of his grievance that he sees the blessings of freedom and the effectiveness of the Government. I would, therefore, like every government servant concerned with these petitions to handle them in a spirit of helpfulness and service, cutting through all red tape and undue formality.

I would be grateful if files of these petitions are shown to me or to the Honourable Minister concerned as and when they are dealt with and after the petitioner is informed of the action taken."

11.3.2. The Department was formally created in March, 1948, and serves as an agency to provide prompt and adequate attention to the complaints received from the public by the Governor, Members of Government, Prime Minister of India, other Central Ministers, and the Secretariat of the President of India, which are sent by them to the State Government. The Department sifts and examines the petitions and refers deserving and important cases to Heads of Departments or the District Magistrate concerned for action and report. The reports are examined by the Petitions Officer to decide whether the action taken is adequate or any further action is necessary. In doubtful or important cases, orders of the Chief Secretary or departmental Secretaries are obtained. Petitions or complaints which relate to specific matters and which should obviously be dealt with in a particular department of the Secretariat are ordinarily transferred to that department but if a petition is clearly such as should have been presented to an authority outside the Secretariat and does not require any orders of the Government, it is returned to the sender.

11.3.3. The Department forms part of Chief Secretary's Branch under the charge of a Petitions Officer or an Assistant Secretary who works under the overall charge of Secretary to Chief Minister.

## 11.4. LANGUAGE DEPARTMENT

11.4.1. A beginning of the Department was made in 1937, when after abolition of the Newspaper Department and its merger with the Public Information Department, the translators engaged for translation of petitions received by the Governor were transferred to the General Administration Department along with their work. Due to increase in the number of petitions and in the volume of papers translated in Hindi and Urdu for facility of the legislators not acquainted with English, translation work increased enormously and resulted in the creation of a new Translation Department in 1938. When in October, 1947, Hindi was declared the State Language, the Translation Department was employed mainly for translating English documents into Hindi. In 1952, however, consequent upon the passing of the U.P. Official Language Act, 1951, the Translation Department was abolished and the existing staff split into four units, one each attached to Chief Secretary's Branch, Judicial Secretary's Branch, Public Works Department and the Finance Department, to assist the various departments in the change-over from English to Hindi. The other Branches of the Secretariat were covered by the units attached to the Chief Secretary's Branch and the Judicial Secretary's Branch. By May, 1954, the Translation Department was wound up completely and translators were made a part of the staff of various Branches and Departments. The system was, however, not found very effective. The Official Language Commission appointed by the Government of India in June, 1955, also suggested in its report submitted in 1956 that 'it would be of advantage to the States themselves if the task of overseeing the implementation of the language policy within the State were to be charged on a definite department or wing or division within a department in the State's Secretariat'. In pursuance of this recommendation, all work being done by various translation units and work relating to the State Language being carried on in the General Administration Department was pooled in October, 1958, in one department known as the "Language Department" which forms part of the Chief Secretary's Branch. In June, 1961, the State Government appointed a committee known as 'the Uttar Pradesh Language Committee' under the chairmanship of Acharya J.B. Kripalani, M.P. This Committee was constituted in pursuance of the general policy of the State Government of sympathetic and liberal attitude towards the minorities and for the development of Urdu language, to examine the working of safeguards for Urdu and factors that would enable Urdu to occupy its due place in the cultural sphere of the State. The Committee submitted its report in August, 1962, and most of the recommendations made by it were implemented by the State Government. In 1964, a Hindi Advisory Committee was also constituted under the chairmanship of the Chief Minister for the progressive use of Hindi in official work.

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6. Report of the Official Language Commission, 1956, Government of India, p. 265.

In 1965 it was also proposed to set up a Directorate of Hindi, and a Deputy Secretary-cum-Director of Hindi was actually appointed to see to the expeditious use of Hindi in official work. The scheme regarding the Directorate was, however, abandoned later on. An Urdu Vigilance Committee was also set up under the chairmanship of the Minister for Education in June, 1967, with the Deputy Secretary to Government in General Administration Department as Secretary to the Committee, to look after how far the facilities arranged for Urdu speaking people of the State were being provided. Subsequent developments in connection with the related activities are available in chapter 11.10 on the Department of National Integration.

11.4.2. The Department is divided into the following Sections:

1. *Language (General) Section.* It deals with the policy matters regarding the use of Hindi in Government work, scrutiny of proposals for the purchase of English typewriters, Hindi typewriting and shorthand classes at Lucknow, Hindi typewriting training classes at Divisional headquarters and at Kanpur, safeguards of the interests of linguistic minorities in their language, question of regional languages, reform of Devnagri script, publication of substances of Uttar Pradesh Gazette in Urdu, publication of glossaries of Hindi synonyms for the use of Government offices, etc.

2. *Publication Section.* Translation and publication of Government Manuals, Financial Handbooks and other procedural literature, publication of guide books such as '*Hindi Nirdeshika*', publication of Hindi and Urdu editions of Indian National Bibliography, viz., *Rashtriya Granth Soochi* and '*Kaumi Kitabiyat-Shaube-Urdu*'.

3. *Budget Section.* It deals with the translation of Budget literature, notes for the Schedule of New Demands and for the Public Accounts Committee, etc.

4. *Legislative Section (A).* It deals with the translation of Bills, Acts, Ordinances, Deeds and subordinate legislation.

5. *Legislative Section (B).* It deals with the translation and publication of old Acts of the State passed originally in English before 1950 and rules made under them.

These two Sections are under the operational control of the Legislative Department.

6. *Forms Section.* It deals with the translation of forms of general use in various departments.

7. *Miscellaneous Translation Section.* It deals with the translation of service rules, important Government Orders, annual reports of departmental activities, reports of committees, addresses and speeches of Governor, Ministers, etc.

8. *Urdu Section.* It was decided in October, 1967 that subs-

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7. The Hindi Laxicon Committee, since abolished, was formerly looking after this work.

tance of important laws, Acts, notifications, rules, orders, etc., should also be published in Urdu Gazette for general information of Urdu speaking people. Copies of these Gazettes are supplied in District Offices and Tahsils where the population of Urdu speaking people is at least 15 per cent of the total population according to the Census of 1961. Such Tahsils are in the districts of Bijnor, Moradabad, Rampur, Bareilly, Pilibhit, Saharanpur, Muzaffarnagar, Meerut, Bahraich, Gonda, Barabanki and Basti. This Section deals with the translation of such rules, Acts, notifications, etc., and also attends to the translation of Urdu petitions received by the State Government at the headquarters.

11.4.3. The officers of the Department are:

Deputy Secretary	1
(who is also Deputy Secretary, G.A.D.)	
Language Officer-cum-Linguistic Minorities Officer <sup>8</sup>	1
Language Officer	2
Superintendent	1

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8. As Linguistic Minorities Officer, he also looks after some of the work in the Department of National Integration (Chapter 11.10).



## 11.5. CONFIDENTIAL DEPARTMENT

11.5.1. The origin of Confidential Department goes back to the post of a special clerk who used to be attached to the Chief Secretary for attending to his letters and demi-official correspondence. In April, 1923, this clerk was replaced by a Superintendent, Confidential, who looked after the disposal of work of secret and confidential nature undertaken by the Chief Secretary himself. The Confidential Department was, however, established in 1939 when, after the outbreak of the Second World War, it was considered necessary to create a nucleus within the Secretariat from where secret, confidential and urgent matters could be handled. The administration of Civil Defence, which had gathered considerable importance during the war, was also transferred in August, 1941, from the General Administration Department to the Civil Defence Section of the Confidential Department. The National Emergency created by the Chinese aggression on the country, made it necessary to take up the matter of Civil Defence on a large scale. The Civil Defence Section was, therefore, converted into a separate Civil Defence Department in November, 1962.

11.5.2. Matters relating to appointment, salaries, allowances, etc., of the Governor of Uttar Pradesh, maintenance of the Governor's staff and household and office of the Governor's Secretary, as also regarding appointment, salaries, allowances, etc., of Ministers, Deputy Ministers and Parliamentary Secretaries and of Judges of the High Court are looked after by this Department. It also transacts business concerning the Council of Ministers. The Department is also administratively concerned with the U.P. Rules of Business and Secretariat Instructions, 1955, which deal with the manner of disposal of business at the headquarters of the State Government and procedure of the Council of Ministers, as also with the Business of Uttar Pradesh (Allocation) Rules, 1958 dealing with the distribution by the Governor of portfolios and departments to the Ministers and containing a list of subjects about which business is transacted in various departments of the Secretariat. Both these Rules and Instructions have been made under Article 166 of the Constitution of India. The Department also deals with the visits of the President, Vice-President and the Prime Minister of India to this State; grant of the awards of *Padma Vibhushan*, *Padma Bhushan* and *Padma Shree* and maintains liaison between the civil and military authorities. By convention, secret enquiries falling under the purview of the Home Department are also dealt with in this Department by the Home Secretary, along with other subjects of a secret nature, as also the matters connected with the Indian Official Secrets Act, 1923. The Department was also responsible for taking up anti-corruption measures in the State as also for enquiries into charges of corruption and malpractices through the Administrative Tribunal, U.P. This work was later assigned to Vigilance Department created in July, 1964.

11.5.3. The Chief Secretary, who is also Secretary to the Council

of Ministers, is assisted in the work relating to the Department by an Assistant or an Under Secretary, Confidential, and a Superintendent.

11.5.4. In March, 1960, the work relating to the administration and speeding up of development of the three border districts of Chamoli, Pithoragarh and Uttar Kashi was also entrusted to the Confidential Department. Subsequently, Border Development Department was created for the purpose which is dealt with in the next Section of this Chapter.

11.5.5. *Uttar Pradesh Essential Services Maintenance Act*, 1966. The State Government promulgated in August, 1966 the Uttar Pradesh Essential Services Maintenance Ordinance, 1966 which was made into an Act on December 30, 1966 prohibiting strikes in public services in connexion with the affairs of the State of Uttar Pradesh. "Essential service" includes any public service in connexion with the affairs of the State of Uttar Pradesh, any service under an educational institution recognised by the Director of Education, Uttar Pradesh, or by the U.P. Board of High School and Intermediate Education or service under a University incorporated by or under an Uttar Pradesh Act; and any service under a local authority. "Strike" means the cessation of work (including any unauthorised absence from duty) by a body of persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work. Penalties of imprisonment ranging from six months to twelve months and fine ranging from five hundred rupees to one thousand rupees were laid down for commencing, instigating or giving financial aid, as the case may be, to such illegal strikes. Any police officer may arrest without warrant any person who is reasonably suspected by having committed any offence punishable under the Act.

## 11.6. BORDER DEVELOPMENT DEPARTMENT

The work relating to the administration and speeding up of development of the three border districts of Chamoli, Pithoragarh and Uttar Kashi, created with effect from February 24, 1960, and grouped together into the Uttarakhand Division, was originally entrusted in March, 1960, to Confidential Department. A streamlined procedure was adopted, both at the headquarters and in the districts, to speed up finalization, sanction, supervision and implementation of the development schemes proposed for these areas. The Chief Minister was authorised by the Council of Ministers to exercise all the powers of the Cabinet for problems relating to the new districts. Similarly, the Chief Secretary to Government was authorised to exercise authority in all departments of the Secretariat. He was also appointed as Commissioner of the Uttarakhand Division to avoid any intermediary between the Government and the District Magistrates. As the work increased, it was separated from the Confidential Department, which came to be known for sometime as Confidential (A) Department and entrusted to two new departments known as Confidential (B) and (C) Departments, which served as combined offices of the Secretariat and the Commissioner, Uttarakhand Division. From April 27, 1966, however, confidential (B) and (C) Departments were known as Border Development (A) and (B) Departments, respectively. With effect from November 8, 1962, the Commissioner, Kumaun Division, Nainital, was made Commissioner, Uttarakhand Division<sup>9</sup> as well. From that date the Department only acts as a Secretariat Department. The Chief Secretary is the Secretary and he is assisted by a Deputy Secretary, Border-cum-Additional Commissioner, Uttarakhand Division,<sup>10</sup> an Under or Assistant Secretary, an Accounts Officer and two Superintendents. In the districts, the District Magistrates have been given powers over other departmental officers so that they may be able to act as leaders of the team comprising various district level officers in their districts to coordinate development programme of the various departments and to ensure its speedy implementation.

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9. The Uttarakhand Division was abolished with effect from December 20, 1968, and a new Garhwal Division with headquarters at Pauri was created. The limits of that Division and the Kumaun Division were redefined, as below:

Garhwal Division—Districts of Garhwal, Tehri Garhwal, Uttar Kashi and Chamoli.

Kumaun Division—Districts of Naini Tal, Almora and Pithoragarh. Each Commissioner now supervises the affairs relating to the border districts under his charge.

10. The Additional Commissioner for Uttarakhand Division, on abolition of the Division, continued to function as Additional Commissioner in respect of the three border districts of Uttarkashi, Chamoli and Pithoragarh.

## 11.7. CIVIL DEFENCE DEPARTMENT

11.7.1 During the initial stages of the second World War, when the war theatre was mostly confined to the West, the civil defence needs of the State were not so prominent, but the sudden entry of Japan into the war towards the later part of 1941 and the developments in the East, as a result of which India was brought very much nearer to war zone, made it necessary for Government, to mobilize and make the best possible use of its district executive staff, on which alone it could fall back upon at that time. The problems were multifarious and many sided. The efficiency of the revenue and criminal administration in each district was to be maintained as also numerous additional duties which had arisen as a result of the war, such as duties connected with civil defence, in particular Air Raid Precaution duties, duties connected with refugees and duties connected with problems of price control and supply were to be carried out efficiently. The administrative machinery was geared by giving relief to sub-divisional officers by the appointment of Revenue Officers for trying revenue cases and utilizing the former in civil defence work by appointing some of them as whole-time Civil Defence Magistrates to act as Town Control Magistrates and Area Magistrates as also A.R.P. Officers. Their duties, in short, were setting up of area control centres and town control rooms, training of staff, selection of sites and organization of air raid shelters in their areas, organization of welfare work in collaboration with area welfare officers, preparing survey of the degree of risk from fire to different parts of their areas, exercising a general supervision over all A.R.P. matters, organizing camps for the homeless, care of refugees, etc. As an aftermath of the War, however, the necessity of having proper plans for implementing measures for safeguarding the civil population against the effects of hostile attack by air or otherwise was universally recognised and it has now become a necessary part of the defence organization of any country. The Government of India have also issued specific directions from time to time and steps have been taken to formulate plans, which can be put into effect at short notice to prevent avoidable injury and loss of life

11.7.2. In the wake of the national emergency created by the Chinese aggression on the country, a separate Civil Defence Department was created at the State level in November, 1962 for the execution and coordination of various civil defence measures. The Civil Defence Section of the Confidential Department in the State Secretariat was also converted into a full-fledged Department. The measures were not only confined to those related directly to civil defence, but also included the strengthening and re-organization of the Prantiya Rakshak Dal, training of civilian population in the use of firearms, adoption of security measures, formation of Home Guards, organization of emergency medical facilities, regulation of supplies and distribution of essential commodities to hold the price line. These arrangements are for the present confined to certain selected places

which include vulnerable towns and areas having vital installations in the State.

11.7.3. The U.P. Home Guards Act, 1963, provides for the constitution of a Home Guards Force in the State. The scheme is being implemented both in the Urban as well as rural areas (Development Blocks) with the object of having a trained and disciplined force to:

- (a) serve as auxiliary to the Police and generally to help in maintaining internal security;
- (b) help the community in any kind of emergency, air raid, fires, floods, epidemics, etc.;
- (c) function as an emergency labour force needed for special tasks directly or indirectly connected with the defence of the country; and
- (d) function as essential services in an emergency.

The main aims are to save life, to maintain the morale of the people in emergency, to minimise damage to property and to maintain continuity of production. The Home Guards Force comprised 132 battalions grouped into 1165 companies during 1969. A Home Guard Company consists of 110 Home Guards for a population slab of 25,000 people in urban areas or for each Development Block in rural areas. A platoon consists of 35 men.

11.7.4. The Department at the Secretariat level is headed by the Home Secretary to Government. The Director of Civil Defence-cum-Commandant General, Home Guards and Prantiya Rakshak Dal, who is an officer of the rank of Inspector-General of Police, co-ordinates and supervises the various civil defence measures and the activities of Home Guards with the help of a whole-time Deputy Director and a part-time Accounts Officer. There is a combined office both for the Secretariat and the Directorate under charge of a Superintendent.

11.7.5. District Magistrates at selected places have been appointed Civil Defence Controllers to execute, co-ordinate and control operations of all civil defence measures at the district level to be implemented and enforced in accordance with specific directions from the Director of Civil Defence. The Civil Defence Controllers have the assistance of a skeleton whole-time staff comprising a Deputy Controller, Civil Defence; Civil Defence Officer and Officer-in-Charge, Civil Defence Division (a Division covers one lakh population) and other ancillary staff. For proper and adequate supervision and training of the Home Guards Force in the State, the districts have been grouped into nine Regions and placed under Regional Commandants at Agra, Allahabad, Bareilly, Faizabad, Gorakhpur, Jhansi, Lucknow, Meerut, and Varanasi, who are retired army officers of the rank of Lieutenant Colonel and above or retired Deputy Inspectors-General of Police. Each Battalion is under a Battalion Commandant and Battalion Adjutants who are either senior ex-commissioned Army Officers, or ex-Police Officers of the rank of Sub-Inspector and above, or members of University or Degree College staff with a background of

military training and are prepared to work on part-time basis on honoraria to compensate them for their travelling and other expenses. Other honorary battalion staff consists of Battalion Sergeant Major, Battalion Quarter Master and Armoury Sergeant. A company consists of three platoons, each formed of three sections. A section comprises ten volunteers with a Section Leader. The Company Commander, Company Second-in-Command, Company Havaladar, Major, Provost, Company Quarter Master, Platoon Commander, Platoon Sergeant, etc., are part-time staff and are given honoraria in accordance with their rank. The other ranks and file are volunteers who are given uniform, parade and training allowances at fixed rates. In addition to the volunteers, the Force has some paid staff at various levels. At Development Blocks, there is one Block Organizer for Home Guards (as also one for Prantiya Rakshak Dal). At the district headquarters, there is a District Staff Officer, Home Guards, with an Assistant District Organizer, to assist the District Magistrate in the matters of Home Guards Organization.

11.7.6. Special emphasis is given to the training of Civil Defence personnel. A Civil Defence Training Centre functions at Bakshi-katalab, Lucknow for imparting instructions to selected persons from each district, who in their turn, train others at district level. The training of Home Guards is continuous process and it will gradually cover all able-bodied persons between the age group of 18 and 40 years, who may volunteer for service. The training facilities offered by the Government of India at their National Civil Defence College, Nagpur, are also utilized by deputing for training selected officers of departments whose services are likely to be utilized for relief operations.

11.7.7. The existing Prantiya Rakshak Dal headquarters have also been reorganized and the Home Guards and the Prantiya Rakshak Dal Organizations are now headed by the same Commandant-General. However, in view of the separate statutes for these two forces, the two organizations are kept separate. The Prantiya Rakshak Dal, which is mainly related to Community Development and Panchayati Raj institutions, is utilized to lend statutory support to the village volunteer force in its three-fold task of village defence, production and mass education, and is thus basically intended to be used for mobilization of rural man-power in development activities. The Home Guard, on the other hand, is ancillary to the Police. Details about the Prantiya Rakshak Dal are available under 'Community Development Department' in Chapter 8.2.



## 11.8. VIGILANCE DEPARTMENT

11.8.1. The matters relating to anti-corruption measures in the State and those concerning enquiries of corruption and malpractices were being handled formerly in the Confidential Department (Chapter 11.5). After Independence, strong public disapproval was voiced against corruption and in order to check this evil, an Anti-Corruption Department, which was a wing of the Police Department, was formed as a field organization under a Deputy Inspector-General of Police for investigation of cases of corruption and such other complaints against government servants.<sup>11</sup> This Department was merged in 1949 in the Criminal Investigation Department which was another wing of the Police Department. An effort was also made to make use of the public opinion in persuading the people not to resort to corrupt practices. The State Government had set up in March, 1959 a Committee for Investigation of Causes of Corruption in Subordinate Courts<sup>12</sup> in the State under the Chairmanship of Mr. Justice B. Mukerji, Judge, High Court of Judicature at Allahabad, which submitted its report in July, 1961. As the evil was widespread, the Government of India too were anxious to take effective measures against it and on the recommendations of the Committee on Prevention of Corruption set up by them in 1962 under the Chairmanship of Sri K. Santhanam, M.P., which submitted its report in March, 1964, they had set up a Central Vigilance Commission under the Ministry of Home Affairs, to deal with complaints of corruption against public servants. The need for taking similar steps and to revitalise the anti-corruption organization was also felt by the State Government which set up on July 8, 1964, a Vigilance Commission with headquarters at Lucknow, as an important step in the effort to check corruption and to ensure a clean and efficient administration in the State. The U.P. Vigilance Commission, which has two wings,—an Investigating Wing known as the U.P. Vigilance Establishment under a Director of Vigilance and a Trial Wing known as the Administrative Tribunal, both directly and collectively responsible to the Government, works under the administrative control of the Vigilance Department which was formed simultaneously out of the Anti-corruption Cell in Confidential Department. The Vigilance Department is responsible for taking anti-corruption measures in the State and for mobilising public opinion against bribery and corruption. The 'committee' approach in the matter was, however, not successful. The District and Divisional Anti-Corruption Committees, as were functioning in the State since long, were found not doing any useful work. Government, therefore, decided to abolish them with effect from June 1, 1967.

11.8.2. The Department, which forms part of the Chief Secretary's Branch, has the following officers:

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11. See paragraph 21 of Chapter 6.1 on Home (Police) Department, p. 148.
  12. See paragraph 15 of Chapter 5.1 on Judiciary, p. 117.

Secretary	1
(who is also Secretary, Appointment and Home Departments)	
Joint Secretary	1
(also for Home Department)	
Under Secretary	1
(also for General Administration Department)	
Superintendent	1

11.8.3. Complaints received in the Vigilance Department are dealt with in any of the following ways:

- (a) If the complaint appears *prima facie* frivolous and no further action is required, the papers are deposited. No notice is generally taken of anonymous and pseudonymous applications and they are deposited straightaway.
- (b) If facts relating to a complaint are already available with the Government, the complaint is examined in that light and a decision is taken regarding further action.
- (c) Where an inquiry is considered necessary, the complaint is referred to the U.P. Vigilance Establishment for inquiry.

The Vigilance Department consults the Minister-in-charge of the department before an investigation or inquiry relating to an officer of his department is entrusted to the Vigilance Establishment. All cases in which inquiry through the Establishment is desired, are referred to the Chief Secretary to Government before they are taken over in the Vigilance Department.

11.8.4. On receipt of reports of the Vigilance Establishment, it is decided, depending upon the seriousness of the charges and the evidence available, whether the case of a delinquent government servant is to be sent to a Court for trial, referred to the Administrative Tribunal or only departmental action be taken. If the case is to be sent to Court, a report is made to the police authority having jurisdiction in the matter for regular investigation. If only departmental action is needed, the case is referred to the concerned administrative department. If it is referred to the Administrative Tribunal, action is taken by the latter, as indicated in the subsequent section dealing with its set up. The Tribunal sends its report in each case to Government in the Vigilance Department. A special feature with the Administrative Tribunal is that recommendations made by it for punishing a delinquent official are not referred to the State Public Service Commission for their advice, but the delinquent official is given a reasonable opportunity of making representation on the penalty proposed for him. No appeal lies against the order passed by the Government.

#### U.P. VIGILANCE COMMISSION

11.8.5. The Vigilance Commission, as indicated earlier, has an

Investigating Wing known as the U.P. Vigilance Establishment under the Director of Vigilance and a Trial Wing called Administrative Tribunal. The Commission consists of three members, two of whom are members of the Administrative Tribunal constituted under the U.P. Disciplinary Proceedings (Administrative Tribunal) Rules, 1947 and the third is the Director of Vigilance. The President of the Administrative Tribunal is also Chairman of the Vigilance Commission.

11.8.6. The Commission, as a whole, formulates proposals for prevention and control of corruption and in particular takes the following steps:

- (a) advising Government regarding change in procedure and practice with a view to eliminating chances of corruption;
- (b) collecting such statistics and other information as may be necessary for the performance of their functions;
- (c) advising Government regarding methods and procedures for redress of public grievances;
- (d) calling for reports, returns and statements from all Government departments, public offices and Government undertakings so as to enable it to exercise general control and supervision over the vigilance and anti-corruption work in that department, office or undertaking;
- (e) obtaining information about action taken on its recommendations by any Government department, office or undertaking; and
- (f) submitting an annual report to Government in the Vigilance Department about its activities, and drawing attention of the Government to any recommendation made by it in respect of the functions enumerated above and which was not accepted or acted upon by the Government or the Department concerned.

The annual report is placed before the Legislature. The aim is that no case of corruption, ordinary or exceptional, against an employee of the State Government should go uninvestigated nor should any employee found corrupt escape unpunished. The recommendations of the Commission on matters mentioned above are, as a general rule, accepted by Government. Where the recommendations are not accepted or acted upon, the procedure observed in dealing with the recommendations of the U.P. Public Service Commission is followed *mutatis mutandis*. The Vigilance Commission does not deal with complaints against members of the Legislature and members of Government.

11.8.7. The creation of the Vigilance Commission does not, however, relieve the heads of departments and their officers from the duty of keeping such constant and vigilant watch over their subordinates as they may consider necessary for combating corruption; they are expected to continue to take steps in this regard. The Director of

Vigilance and the Vigilance Commission can, at the same time, take the initiative in prosecuting persons who are found to have made false and frivolous complaints of corruption or lack of integrity or other malpractices against public servants.

### UTTAR PRADESH VIGILANCE ESTABLISHMENT

11.8.8. When the Vigilance Commission was set up, the Investigation Wing of the Commission was known as the Directorate of Vigilance. The functions of the Directorate were to enquire into complaints of corruption, misconduct and other malpractices against public servants in cases which were referred to it by the Government. Some difficulties were experienced initially as the officers of the Directorate were not invested with powers of the Police. The State Government, therefore, promulgated on January 5, 1965, the Uttar Pradesh Vigilance Establishment Ordinance, 1965 which was replaced in March the same year by the U.P. Vigilance Establishment Act. The Act provides for the constitution, superintendence and administration of a special police force in the name of the U.P. Vigilance Establishment. The Officer-in-charge of the Establishment is the Director of Vigilance, who exercises all the powers of a head of department and that of the Inspector-General of Police as are exercisable by the latter in respect of ordinary police force. He is assisted in the investigation work by seven Superintendents of Police, sixteen Deputy Superintendents of Police, 29 Inspectors of Police, supported by a number of Sub-Inspectors of Police and Constables.<sup>13</sup> Technical Advisers consisting of two Executive Engineers, a District Supply Officer, a Sales Tax Officer and an Accounts officer, assist the investigating officers in inquiries relating to the respective departments. There is also a Legal Branch consisting of two Senior Public Prosecuting Officers (of the rank of Deputy Superintendents of Police) and six Public Prosecutors, who give legal assistance to the investigating officers and also prosecute cases in courts. A Special Magistrate, First Class, is also posted at the headquarters of the Vigilance Establishment with jurisdiction throughout the State, to perform the functions of a Magistrate under the Code of Criminal Procedure, 1898, as are related to the investigations made by

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13. Under the U.P. Vigilance Establishment Act, 1965, the provisions of the Police Act, 1861 and of the rules and regulations made thereunder, as they apply in relation to members of the ordinary police force of the State, also apply in relation to members of the Establishment, subject to such adaptations as may be made therein. Members of the Establishment have, in relation to the investigation of offences and arrest of persons concerned in such offences, all the powers, duties, privileges and liabilities which police officers holding corresponding ranks in the ordinary police force of the State have in connection with investigation of offences, and for purposes of conferment of powers under any law are deemed to be police officers holding corresponding ranks in the ordinary police force of the State. Any member of the Establishment of or above the rank of Sub-Inspector may, subject to any orders which the State Government may make in this behalf, exercise in discharging his functions any of the powers of the officer-in-charge of a police station in the area in which he is for the time being and when so exercising such powers is deemed to be an officer-in-charge of a police station discharging the functions of such an officer within the limits of his station.

the Vigilance Establishment. The arrangement obviates delays as are usually involved in taking such assistance from courts having local jurisdiction.

11.8.9. The Vigilance Establishment can investigate into offences punishable under various sections of the Indian Penal Code, 1860 and other offences punishable under various Acts.<sup>14</sup> The Establishment is required to:

- (i) keep Government informed of matters coming to its notice regarding corruption, bribery, misconduct and malpractices against public servants;
- (ii) collect intelligence as may be required by Government regarding possible sources of corruption in public servants; and
- (iii) make enquiries, secret or open, into such cases of corruption, bribery, misconduct or other malpractices, etc., as are referred to it by the Government in the Vigilance Department.

The Vigilance Establishment makes preliminary inquiries into complaints of corruption against government servants in general and gazetted officers in particular. Inquiries against non-gazetted staff are also, where considered necessary, entrusted to it, but they are, by and large, handled by the Criminal Investigation Department of the Police. The Establishment undertakes inquiries only into those cases which are referred to it by the Vigilance Department. All complaints received by the Vigilance Commission are passed on to the Establishment and those received by the latter, either directly or otherwise, except those which *prima facie* appear frivolous, are forwarded to Government in the Vigilance Department with or without comments for orders of Government. The Establishment furnishes to the Vigilance Department a detailed report embodying its conclusions,

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14. The following offences and classes of offences are investigated by the Uttar Pradesh Vigilance Establishment, *viz.*:

(a) Offences punishable under Sections 161, 162, 163, 164, 165, 165-A, 166, 167, 168, 169, 182, 193, 197, 198, 201, 204, 211, 218, 379, 380, 381, 384, 385, 386, 387, 388, 389, 403, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 465, 466, 467, 468, 471, 472, 473, 474, 475, 476, 477, 477-A of the Indian Penal Code, 1860.

(b) Offences punishable under the Prevention of Corruption Act, 1947.

(c) Offences punishable under the Indian Official Secrets Act, 1923.

(d) Offences punishable under Sections 7 and 8 of the Essential Commodities Act, 1955 and conspiracies in relation thereto or in connection therewith.

(e) Offences punishable under Section 24(I) (iii) of the Industries (Development and Regulation) Act, 1951 and conspiracies in relation thereto or in connection therewith.

(f) Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in clauses (a) to (e) and any other offences committed in the course of the same transaction or arising out of the same facts.

(Notification N. 592/XXXIX-VGL-1965, dated February 12, 1965).

as also draft charges in cases in which action is recommended, in order to enable the Government to decide the course of action to be taken against the delinquent government servant. If during the course of an inquiry, officers of the Establishment receive any information against an officer into whose conduct they have not been asked to enquire, the Director of Vigilance usually forwards such information to the Vigilance Department, but if it is considered that the evidence in respect of corruption or misconduct may be lost or tampered with if immediate action is not taken, he takes such action pending receipt of Government orders. In the case of non-gazetted government servants, he can take up such inquiries on his own. All heads of departments, their officers as well as District Magistrates and Superintendents of Police are required to render all necessary assistance to the officers of the Establishment in the inquiries conducted by them. Officers of the Establishment have access to all official records in other offices as are needed for the conduct of such inquiries.

### ADMINISTRATIVE TRIBUNAL, U.P.

11.8.10. Prior to the setting up of the Vigilance Commission, the Administrative Tribunal, U.P. established in 1947 under statutory rules, viz., the U.P. Disciplinary Proceedings (Administrative Tribunal) Rules, 1947, enquired into only selected cases of corruption and misconduct on the part of government servants, as were referred to it by the Government. Formerly, the Member (Administration), Board of Revenue, U.P. was also the President of the Tribunal. Later, the Chairman, Vigilance Commission, was the second Member of the Tribunal. Under the present set up, the Tribunal consists of two members, one of whom is an officer of adequate seniority to be the head of a department or the Commissioner of a Division and the other a judicial officer qualified for appointment as a Judge of the High Court. The Rules, as amended by the U.P. Disciplinary Proceedings (Administrative Tribunal) (Amendment) Rules, 1969, provide for one or more such Tribunals. One of the members of each Tribunal is nominated by the Government as its Presiding Officer. Since March, 1968, a Tribunal is also assisted by an Assessor, who is appointed by the Government, taking into account the rank of the charged government servant. He is preferably of the same department. Government can, if it is satisfied that it is expedient to do so for the ends of justice, transfer any case pending before any Tribunal either to another Tribunal having a new set of members or replace the assessor appointed to assist it. The replacement of a member or Assessor, or transfer of a case from one Tribunal to another, does not necessitate the reopening of the proceedings or a *de novo* enquiry into it. If a member or assessor is absent at a particular hearing, the remaining member with the assessor or the members without assessor can proceed with the case.

11.8.11. The following categories of cases can be referred to the Tribunal for trial:



- (a) Corruption;<sup>15</sup>
- (b) failure to discharge duties properly;<sup>16</sup>
- (c) irremediable general inefficiency in a public servant of more than ten years standing;
- (d) personal immorality;<sup>17</sup> and
- (e) wilful or flagrant violation of the Uttar Pradesh Government Servants' Conduct Rules, or other Rules or Orders issued by the Government or any other competent authority.

11.8.12. Cases are referred to the Tribunal by the Vigilance Department. The proceedings of the Tribunal are held in camera and neither the prosecution nor the defence has right to be represented by counsel. In conducting enquiries, a tribunal is guided by rules of equity and natural justice and is not bound by formal rules relating to procedure and evidence. The Tribunal, where it is satisfied that punishment should be imposed, formulates its recommendations about the punishment, which in addition or as alternative to the punishments defined in the Civil Service (Classification, Control and Appeal) Rules, may also include compulsory retirement with or without full or proportionate pension or with or without gratuity or compassionate allowance, as considered suitable.

11.8.13. *The U.P. Public Men Inquiries Ordinance, 1967, and the U.P. Chief Investigator's Establishment.* It was considered necessary that complaints of corruption against men in public life or against their official actions should be capable of being investigated by an agency independent of the executive Government. It was also felt necessary that the law aiming at uprooting corruption should provide for an effective machinery for their independent investigation as also for speedy and impartial inquiry into all such allegations. The Governor, therefore, promulgated on October 21, 1967, the U.P. Public Men Inquiries Ordinance, 1967, to provide for the investigation of and inquiry into accusations and misconduct against certain classes of persons who were or have been in the public life of Uttar Pradesh, such as a Minister, Deputy Minister and Parliamentary Secretary. *Adhyaksha* or *Upadhyaksha* of a Zila Parishad, *Nagar Pramukh* (Mayor) or *Up Nagar Pramukh* (Deputy Mayor) of a *Nagar Mahapalika*, a President or Vice President of a first class Municipality or a member of the U.P. Legislative Assembly or Legislative

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15. This expression has the same meaning as "Criminal misconduct" under sub-section (1) of Section 5 of the Prevention of Corruption Act, 1947.

16. This includes all such acts and omissions on the part of a Government servant as are likely to weaken the position and prestige of the Government of the Indian Union or the Government of the Uttar Pradesh or which indicate an absence of loyalty and devotion to the Union of India or any feeling of loyalty towards any State outside the Indian Union.

17. "Personal immorality" means vicious habits relating to drink, sex and gambling which reduce utility of a public servant so as to damage Government or the official generally in public esteem.

Council. The Ordinance provided for the constitution of a special police force, called "the Uttar Pradesh Chief Investigator's Establishment", for the investigation of such accusations. The Chief Investigator exercised in respect of his establishment all the powers exercisable by the State Government and the Inspector General of Police in respect of the ordinary police force of the State. The Establishment consisted of specially picked police officers selected by the Chief Investigator personally. The scheme, in short, provided that any person could make a complaint of misconduct against a then serving or past holder of any of offices mentioned above, to the Governor, for inquiry, except that a petition which was against a person who had not held any of those offices during the period of five years immediately preceding the date of its presentation, was not entertained. The complainant was also required to file an affidavit in support of his complaint and to deposit a security of one thousand rupees. The Governor could then, (or of his own motion as well in respect of any accusation) request the Chief Justice of the High Court for nominating a judge for preliminary scrutiny. In the case of a Minister, Deputy Minister, Parliamentary Secretary, Mayor or Deputy Mayor, the inquiring judge was to be of the status of a serving Judge of the High Court or a retired Judge of the Supreme Court, while in the case of others, the inquiry could be held by a District Judge. If the inquiring Judge felt that the complaint had *prima facie* no merit, he could report so to the Governor. The report was also to be placed before the Legislature. In such a case the security deposit of the complainant was forfeited. In other cases, the judge was required to forward the complaint for investigation by the "Chief Investigator's Establishment." Independence of this Investigating agency was ensured by providing that the Chief Investigator or the Deputy Chief Investigator(s), who were to hold office until they attained the age of sixty years, could not go back to their parent service from where they were required to resign or seek retirement within a period of six months of their joining the Establishment and that they could not hold in future any other office of profit under the Government. The Chief Investigator and the Deputy Chief Investigator(s) were appointed by the Governor in consultation with the Chairman of the Public Service Commission. The Chief Investigator was, after investigating the complaint, required to report the result confidentially to the Governor who could refer it to a Commission of Inquiry consisting of one or more Members to be nominated by the Chief Justice of the High Court. The status of these Members was to be as indicated above in the case of nomination of Judges for preliminary scrutiny. Any proceeding before the Commission was to be a judicial proceeding. The Commission was required, at the end of the inquiry, to pronounce its findings in public and report the same to the Governor. Where the Commission was of the opinion that it was expedient in the interest of justice that the person accused or any other person concerned with the subject matter of the accusation should be prosecuted for any offence, it could record a finding to that effect stating its reason therefor. Similarly, if the Com-

mission was of the opinion that the petitioner or any other person had intentionally given false evidence or had intentionally fabricated false evidence, it could record a finding to that effect stating its reason therefor and make a complaint about it. The prosecution of the persons concerned in both cases, including where necessary, obtaining sanction for such prosecution, was then to be taken care of by the Chief Investigator. Some of the special features of the scheme were that an inquiry and investigation could be undertaken on a definite complaint of any person, provided the necessary security deposit was furnished—thus safeguarding against misconceived attempts at character assassination, that the Judges to be deputed for inquiry were to be selected not by the Government as under the Commissions of Inquiry Act, 1952, but by the Chief Justice of the High Court and that the Judges were to be assisted by an independent investigation agency of the “Chief Investigator’s Establishment.” A Bill to replace the Ordinance, with certain modifications, was introduced in the U.P. Legislative Assembly in December, 1967. Non-official Chairmen and Vice-Chairmen of District Co-operative Federations, Banks or Unions and of State-level apex institutions were also included in its purview. As the term of the Ordinance was to end on January 29, 1968, the U.P. Public Men Inquiries Ordinance, 1968, was promulgated on January 28, 1968, incorporating the modifications indicated above. The Bill, however, could not be enacted as the State Legislative Assembly was dissolved and the rule of the President of India was enforced with effect from February 25, 1968. The Bill was not referred to the Parliament either, and the Ordinance lapsed on March 25, 1968. The term of the office of the Chief Investigator also ended on that date.

## 11.9. GOVERNMENT ESTATE DEPARTMENT

11.9.1. Before 1936 when the State had a unicameral legislature with one House known as Legislative Council, there was only one Councillors' Residence for accommodating the Members of the Council at Lucknow. With the enactment of the Government of India Act, 1935, the Legislature of the State became bicameral with the Upper and Lower Houses resulting in an increase in the number of its members. The control of the Councillors' residence, which was till then with the President of the Council was given to the Speaker of the Assembly, but he found it difficult to look after it. The charge was, therefore, handed over in 1938 to the Chief Secretary to Government in the Secretariat Administration Department (Accounts), who exercised administrative control over all Government owned buildings including the Councillors' Residences at Lucknow and Nainital. In 1946, when the Congress Ministry assumed office, there was an acute shortage of accommodation in Lucknow for Ministers, Legislators and Secretariat Officers. Proposals for construction of new residences for them were taken up and this increased the work of Secretariat Administration Department. It was then decided to set up a separate organization, on the lines of a similar organization at Delhi under the Government of India, to deal with matters of accommodation alone. The Government Estate Department was accordingly created with effect from January 7, 1947. The administrative control over buildings was transferred from the Chief Secretary to the Secretary, Public Works Department, who, with the assistance of the Government Estate Officer, started exercising administrative control over all Government owned and leased buildings meant for use by the Ministers, Deputy Ministers, Chairman, Legislative Council; Speaker, Legislative Assembly; Legislators and other Secretariat officers and staff.

11.9.2. The main functions of the Government Estate Department are:

- (1) Arrangements for stay of Legislators at Lucknow and Nainital.
- (2) Allotment of residential and office accommodation in Government owned and leased residences.
- (3) Purchase, lease and requisition of accommodation required by Government.
- (4) Administrative check of all proposals regarding works to be done in Government owned and leased buildings (including Circuit Houses all over the State), administrative approval to estimates and allotment of funds.
- (5) Furnishing, etc., of the residences of Ministers and officers of the Legislature.
- (6) Security and fire protection arrangements.
- (7) Secretariat staff cars including the cars of Ministers.

- (8) Electrical appliances for the use of Ministers, Secretariat officers and Secretariat departments.
- (9) Payment of electricity, water and scavenging charges for Naini Tal Secretariat Buildings, Legislators' Residences at Lucknow, U.P. Niwas at New Delhi and other Government buildings.
- (10) Catering arrangements in Legislators' Residences at Lucknow and for temporary accommodation provided at Naini Tal to members of Government, Secretariat officers, staff and others at Naini Tal.
- (11) Administration of Uttar Pradesh Government Premises (Rent Recoveries and Eviction) Act, 1952.
- (12) Construction and allotment of quarters for Secretariat officers and staff.
- (13) Maintenance of State Guest House and Officers' Rest House at Lucknow.

All construction and repair works of buildings are carried out through the agency of Public Works Department.

11.9.3. The portfolio of the Government Estate Department is held by the Minister for Public Works. The Department is treated as a Secretariat Department with effect from April 1, 1965. The Government Estate Department which remained under Secretary to Government in Revenue Department for some time was re-transferred under Public Works Department in October, 1969. The Secretariat officers comprise of:

Secretary	1
(who is also Secretary, Public Works and Transport Departments)	
Government Estate Officer	1
(who is also Deputy or Under Secretary or Officer on Special Duty in Public Works Department)	
Superintendent	1

## 11.10. DEPARTMENT OF NATIONAL INTEGRATION

11.10.1. This Department was created on July 22, 1968, in the Chief Secretary's Branch at the headquarters of the Government, to ensure a co-ordinated approach to and an integrated control at the State level over matters connected with national integration in its various aspects, including efforts towards promoting cordial relations among the various communities and to provide continuity and follow up in these matters with other departments of the Government, heads of departments and district officers for the speedy and effective implementation of related schemes. With the same integrating aims and promotional ideas, a National Integration Council had been set up earlier by the Government of India in October, 1961, under the Chairmanship of the Prime Minister, with the Chief Ministers of all the States, among others, as Members. The Council deliberated last in June, 1962, but later, it came to be dissolved in view of the upsurge of nation's solidarity in the face of the Chinese aggression. The Council was, however, revived and reconstituted at the Centre, more or less with the same composition and it met at Srinagar (Kashmir) from June 20 to 22, 1968, when many important decisions were taken to achieve national and emotional integration, and certain measures were laid down to deal effectively with communal tensions. It was thus that the necessity of an integrated control, through a full-fledged department at the State level, over the various matters connected with the Council, as also for fulfilling all commitments of the State towards the goal of achieving a proper national integration according to the directives of the Government of India, was felt.

11.10.2. The work entrusted to this Department was being coordinated earlier mostly in the Confidential Department. On the creation of this Department, matters relating to national integration were transferred from the Confidential Department; safeguards for linguistic minorities from the Language Department; observance of National Solidarity Day and birthday, etc., of prominent Indians from the General Administration Department; representation of Scheduled Castes,<sup>18</sup> Backward Classes and minority communities in services from the Appointment (B) Department; teaching of South Indian languages from the Education Department and the administration of the Untouchability (Offences) Act, 1955, from the Harijan Sahayak Department. A District Committee, with the District Magistrate as

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18. In the matter of representation of Scheduled Castes in services particularly, the State Government have, under Articles 16 and 335 of the Constitution of India, made a general reservation of 18 per cent for them in the case of direct recruitment to services and posts, or recruitment by promotion of departmental candidates on the result of competitive tests. As these castes were not adequately represented, this general reservation was raised in June, 1964 in the case of clerical and inferior (Class IV) services to 25 and 45 per cent respectively so long as the quota of 18 per cent was not completed in their respective cadres. These orders do not apply in the case of appointments to services and posts for conducting research; or organizing, guiding and directing research.



Chairman and a Deputy Collector (preferably belonging to one of the Scheduled Castes) as Secretary, was constituted in each district in September, 1969 to review from time to time the implementation of various safeguards and facilities provided to the members of Scheduled Castes. Other members of these committees are members of State Legislature and Parliament from the district belonging to Scheduled Castes as also those having interest in the well-being and uplift of these castes and other local social workers. The District Harijan and Social Welfare Officer is associated in this Committee.

11.10.3. The Department had constituted in December, 1968 during the rule of the President of India, a Vigilance Committee under the chairmanship of the Governor, to ensure adequate implementation of various safeguards granted to linguistic minorities. This Committee was substituted for the Committee constituted for the purpose earlier by the Language Department in respect of Urdu speaking people. After return of the elected representatives of the people, the State Government constituted in September, 1969 a permanent Urdu Board under the chairmanship of the Chief Minister for the progress and development of Urdu language in the State. The Board with its headquarters at Lucknow, has Education Minister as its Vice-Chairman and the Secretary, National Integration Department as its Secretary. Its main functions are to review periodically the schemes initiated by the Government for advancement of Urdu and make recommendations for a rapid development of Urdu language and literature; to periodically review the facilities given to the Urdu-speaking people in the spheres of education and administration and make appropriate recommendations in this regard to the Government and to consider the difficulties and complaints, if any, of the Urdu-speaking people and make suggestions for their removal.

11.10.4. Government appointed with effect from July 1, 1969, a single-member Minority Commission with headquarters at Lucknow to see how far the facilities and safeguards provided for minority communities, members of Scheduled Castes and Tribes and backward classes were being arranged for them and to advise Government from time to time in all matters connected with them.

11.10.5. The Department is under the administrative charge of a Secretary to Government, who holds that charge in addition to that of a few other departments.<sup>19</sup> The other officers are an Under Secretary, who also works for Information Department, and a Superintendent. Work relating to Linguistic Minorities is looked by the Language Officer-cum-Linguistic Minorities Officer in the Language Department. The matters relating to the directives of the Government of India and the National Integration Council,<sup>20</sup> as also those

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19. On October 1, 1969, the Secretary, National Integration Department, was also Secretary, Information, Cultural Affairs and Scientific Research, Harijan Sahayak and Social Welfare Departments.

20. The Standing Committee of the National Integration Council in its  
(Continued on next page)

arising from the deliberations of other conventions and conferences, are taken up with the Director, National Integration Unit, Ministry of Home Affairs, Government of India, New Delhi.

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*(Continued from previous page)*

meeting held in Delhi on October 26, 1969, had recommended that, for fulfilment of objectives of the Council, similar Councils at the State levels should also be set up. Such a Council here was set up on January 19, 1970, while the book was in the press, under the chairmanship of the Chief Minister, with Ministers in-charge of and Secretaries in General Administration, Home, Information, Education, Industries, Labour and Local Self-Government Departments; leaders of various political parties in the Legislature, Mayors of Municipal Corporations, Vice-Chancellors of Universities in the State, a few members of the Parliament and the Houses of State Legislature and some non-officials representing different shades of public opinion as Members and Secretary, National Integration Department as Member-Secretary. The Council was expected to meet normally thrice during a year.

## Divisional and District Administration

### 12.1. DIVISIONAL ADMINISTRATION

12.1.1. *Historical Background:* As a measure of decentralisation of administration of land revenue and law and order,<sup>1</sup> a total of nine Divisions were created by the East India Company in 1829 in the Upper Provinces of Agra and Banaras, as they were then called. Each Division was in the charge of a Commissioner who was an officer of considerable seniority and belonged to the 'covenanted civil service of India'. He was the channel of correspondence between the Collectors and the supreme Government at Calcutta. Originally, the entire administrative authority within a Division was vested in the Commissioner, but gradually it came to be shared by other officers also and to that extent, in course of time, the authority and responsibilities of the Commissioner were correspondingly reduced. With the advent of specialisation in administration and the creation of newer departments, officers representing the particular department in the range, region or division, as the case was, took over part of the duties initially entrusted to the Commissioner. The Deputy Inspector-General of Police, the Superintending Engineer, Public Works Department or Irrigation, Conservator of Forests, the Deputy Director of Medical and Health Services, the Deputy Inspector General of Prisons, the Deputy Director of Agriculture and a host of other regional officers were appointed for the various departments whose powers were in the early stages exercised by the Commissioner. However, since the Commissioner was an officer of the highest seniority and rank at the divisional headquarters and was in charge of the most important branch of administration, that is, revenue and general administration, and also supervised to a certain extent other matters, he continued to be looked upon as the most important repository of Government authority in the Division.

12.1.2. When the post was created, it was known as Commissioner of Revenue and Circuit and the Divisions roughly corresponded to the present Divisions of Meerut, Agra, Allahabad, Rohilkhand, Varanasi (formerly Banaras) and Gorakhpur. The particulars of the Divisions as were created by Regulation I of 1829 and the Districts included in them, were as follows:<sup>2</sup>

1. See paragraph 1 of Chapter 7.1 on Revenue Department pp. 176-77.
2. Douglas Dewar: *English Pre-Mutiny Records*, pp. 5, 251 and 387.

<i>Divisional Headquarters</i>	<i>District</i>	<i>Divisional Headquarters</i>	<i>District</i>
Meerut	Saharanpur Muzaaffarnagar Meerut Bulandshahr	Bareilly	Bareilly Shahjahanpur Pilibhit
		Kanpur	Kanpur Bela
Agra	Agra Aligarh Saidabad		North Bundelkhand (Hamirpur)
		Allahabad	Allahabad Fatehpur Banda
Farrukhabad	Farrukhabad Mainpuri Sirpura Etawah	Banaras	Banaras Mirzapur Jaunpur
		Gorakhpur	Gorakhpur (including Basti) Azamgarh Ghazipur
Moradabad	Moradabad Nagina Saheswan		

These Commissioners of Revenue and Circuit were vested with criminal judicial powers and were to exercise supervision over judges, magistrates and collectors in the districts in their charge and were to be responsible for various branches of the administration then carried out on behalf of the East India Company. They were to act under the Sudder Board of Revenue at Fort William, Calcutta. The Commissioners handed over criminal work to the District Judges in 1831, and the latter handed over their magisterial work to the Collectors in 1832.<sup>3</sup> The entire range of civil administrative authority at the Divisional level vested in the Commissioner. He was for his jurisdiction the head of Revenue administration, which included customs and excise, registration and stamps, public works including roads and canals, law and order including police and jails, and such other rudimentary activities in respect of public health, education, forests, agriculture, etc., as existed at that time.

12.1.3. Though Kumaun was ceded to the British towards the end of 1815, they had already started the actual administration of that area from May, 1815, when the Officer-in-charge there was directed by the Government to assume the official designation of 'Commissioner for the affairs of Kumaun and Agent of the Governor-General.' In October, 1816, Kumaun Province, as it was then called, was placed under the Board of Commissioners, though the separate post of Commissioner continued there. The administration of Kumaun was conducted on lines different from those of other regions as it was a non-Regulation Province;<sup>4</sup> the Board had not so strict a control on it as was the case with the districts in the plains subject to ordinary regulations. The Commissioner of Kumaun had, therefore, special powers. In 1839, the Province of Kumaun was divided into the districts of Garhwal and Kumaun, each under a Senior Assistant Com-

3. Douglas Dewar, *op. cit.*, p. 454.

4. Douglas Dewar, *op. cit.*, pp. 439-41.

5. See paragraph 3 of Chapter 12.3, p. 715.

missioner. That designation was later changed to Deputy Commissioner in 1891. The district of Kumaun was also split into the districts of Naini Tal and Almora with effect from October 15, 1891.<sup>6</sup> The post of Commissioner of Kumaun was abolished in 1933<sup>7</sup> and the Deputy Commissioner, Naini Tal was also made in-charge of the Kumaun Division.

12.1.4. When Commissioners of the Regulation Provinces were relieved of judicial duties, several changes were introduced in the territorial jurisdictions of the Divisions. Gorakhpur Division was abolished in 1835 and the districts included in it were transferred to the Banaras Division. It was, however, revived in 1853.<sup>8</sup> Early in 1838, Agra and Farrukhabad Divisions were amalgamated into one with headquarters at Agra.<sup>9</sup> In subsequent years the Divisions of Kanpur and Moradabad were reduced and the districts included in them were added to other Divisions. Farrukhabad and Etawah districts were transferred from Agra to Allahabad Division. Jhansi Division was formed under a separate Commissioner in 1858.<sup>10</sup> When Avadh was annexed in 1856, four Divisions, viz., Sitapur, Lucknow, Bahraich and Faizabad, were created<sup>11</sup> with the allocation of districts, as follows, and were administered as a non-Regulation Province:

Sitapur	Sitapur Mahmudabad Bilgram	Bahraich	Bahraich Gonda Mallapur
Lucknow	Lucknow Daryabad Purwa	Faizabad	Faizabad Sultanpur Salon

Sitapur and Bahraich Divisions were later on abolished and the districts in them not only added to the remaining two Divisions in Avadh viz., Lucknow and Faizabad, they were also rearranged. Lucknow remained the capital of the separate administrative unit of Avadh till 1877, when the post of Chief Commissioner<sup>12</sup> was united with that of Lieutenant-Governor of the North Western Provinces. The Jhansi Division was abolished first in 1890 and the districts of Jhansi, Lalitpur and Jalaun were transferred to Allahabad Division,<sup>13</sup> but it was re-created under a separate Commissioner on November 1, 1911 with the four districts of Jhansi (including Lalitpur), Jalaun, Banda and Hamirpur.<sup>14</sup> Similarly, numerous rearrangements of districts were

6. District Gazetteers of the United Provinces of Agra and Oudh, Naini Tal (1904), p. 137.

7. Civil List, Part I, for the United Provinces of Agra and Oudh, Nos. 211 and 212 for 1933, pp. 12 and 491 of both the volumes.

8. Douglas Dewar, *op. cit.*, p. 387.

9. Douglas Dewar, *op. cit.*, p. 139.

10. District Gazetteers, *op. cit.*, Jhansi (1909), p. 133.

11. Douglas Dewar, *op. cit.*, p. 111.

12. Imperial Gazetteer, United Provinces, Lucknow Division, 1905, p. 20.

13. District Gazetteers, *op. cit.*, Jhansi, p. 134.

14. District Gazetteers, *op. cit.*, Jhansi Division. Supplementary Notes and Statistics (1916), p. 30.

also made in other Divisions. There were a total of only 48 districts in the State until 1946 when part of district Gorakhpur was converted into the separate district of Deoria. The erstwhile independent States of Rampur and Tehri-Garhwal, which merged with this State, were formed into two separate districts in 1949 and added to Rohilkhand and Kumaun Divisions respectively.

12.1.5. For a long time the ten Divisions, viz., Meerut, Agra, Rohilkhand, Lucknow, Faizabad, Gorakhpur, Banaras (now Varanasi), Allahabad, Jhansi and Kumaun, functioned with nine Commissioners, the Kumaun Division being under the charge of the Deputy Commissioner, Naini Tal since 1933 when the post of Commissioner, Kumaun Division was abolished. In 1947, it was decided to relieve the Commissioners of their routine duties and also of the judicial case work. Their number was reduced from nine to five, with the distribution of charges grouped as below:

1. *Commissioner*, Meerut-Agra Divisions with headquarters at Meerut;
2. *Commissioner*, Rohilkhand Division with headquarters at Bareilly;
3. *Commissioner*, Allahabad-Jhansi Divisions with headquarters at Allahabad;
4. *Commissioner*, Banaras-Gorakhpur Divisions with headquarters at Banaras; and
5. *Commissioner*, Lucknow-Faizabad Divisions with headquarters at Faizabad.

It was hoped that the reduced number of Commissioners would be adequate to provide the chief supervisory agency for Government in matters of revenue administration and, notwithstanding the reduction in number, Commissioners being senior officers would continue to impart to district administration guidance even in spheres other than those of revenue administration. In August, 1952, as a further measure of reorganization, the number was reduced to three with the following redistribution of the charges:

1. *Commissioner*, Meerut-Agra-Rohilkhand Divisions with headquarters at Meerut;
2. *Commissioner*, Allahabad-Jhansi-Banaras Divisions with headquarters at Allahabad; and
3. *Commissioner*, Lucknow-Faizabad-Gorakhpur Divisions with headquarters at Lucknow.

The Deputy Commissioner, Naini Tal continued to be in-charge of Kumaun Division throughout.

12.1.6. With the growth of self-governing institutions and the increase in their functions and the growing political consciousness, the volume of work increased considerably particularly with the introduction of Planning and Development. With effect from August 1, 1954,



the following readjustments of charges of the Commissioners were therefore made:

- |                               |   |   |
|-------------------------------|---|---|
| 1. Allahabad Division         | } | Each under a Commissioner.  |
| 2. Banaras-Gorakhpur Division |   |   |
| 3. Lucknow-Faizabad Division  |   |   |
| 4. Meerut-Agra Division       |   |   |
| 5. Rohilkhand Division        | } | Each under a Collector/Deputy Commissioner-in-charge of Division. |
| 6. Jhansi Division            |   |   |
| 7. Kumaun Division            |   |   |

From the experience gained of the working, the following changes were further made:

- (a) the post of a full-fledged Commissioner, Rohilkhand Division, was revived with effect from February 23, 1955; and
- (b) the following combined charges of Commissionerships were split up from the dates mentioned against them, as it was found that one Commissioner could not move about effectively in two Divisions:
  - (i) Meerut-Agra Division August 23, 1955,
  - (ii) Banaras-Gorakhpur Division October 14, 1955,
  - (iii) Lucknow-Faizabad Division November 8, 1955.

The number of Commissioners was thus raised to eight in addition to the Collector, Jhansi as In-charge of Jhansi Division and the Deputy Commissioner, Naini Tal as In-charge of Kumaun Division. With effect from June 25, 1957, the latter two Divisions were also placed each under a Commissioner. The northern sub-Divisions of Uttarakashi, Chamoli and Pithoragarh of Tehri Garhwal, Garhwal and Almora districts respectively were subsequently split, up-graded into separate districts and were grouped into a new Uttarakhand Division<sup>15</sup> on February 24, 1960. On December 20, 1968, however, the Uttarakhand Division was abolished, the district Pithoragarh was added to Kumaun Division, and a new Division named Garhwal with headquarters at Pauri was formed with the districts of Garhwal and Tehri-Garhwal from Kumaun Division and the districts of Uttarkashi and Chamoli from Uttarakhand Division. The State is thus divided at present in eleven Divisions comprising fifty-four districts. A list of Divisions and Districts, as also *Tahsils* in which each District is sub-divided, is given in the Appendix to this Chapter.

15. See Chapter 11.6 on Border Development Department.

## 12.2. FUNCTIONS OF THE DIVISIONAL COMMISSIONER

12.2.1. At the time of creation of the post in 1829 and for many years afterwards, the Commissioner was the sole representative of the Government at the Divisional level. He exercised complete authority within his jurisdiction on all matters which constituted the activities of the Government. Since these activities had not diversified to any large extent, his functions were confined to the supervision of police administration, jails, deciding appeals from the decisions of Collectors and senior Assistant Collectors, all matters concerning the collection of land revenue and issues arising therefrom, administration of such other government levies as were introduced from time to time such as excise and stamps, public works, education, public health, agriculture and forests. By the end of the nineteenth century he had already been divested of his responsibilities in respect of public works, including irrigation, the close control of police administration, medical and public health, excise, agriculture, education, forests, registration and stamps. In the first half of the present century many more new departments were created and, as a consequence, posts of regional officers were added for those departments with the result that functions such as related to industries, co-operative, societies, labour, rural development, and new government levies such as sales tax, etc., were taken over by others. The Commissioner, however, continued to remain the most important representative of the Government, by virtue of his seniority and extensive experiences since he continued to contribute in a very effective way to the maintenance of administrative traditions by giving valuable guidance to the District Magistrates. Owing to his contact with people and administration at the field level, he was in a position to offer advice to Government also. Because of his pre-eminence at the District level, he contributed effectively to the co-ordination of activities between the various departments of the Government functioning within his territorial jurisdiction.

12.2.2. Broadly speaking the duties of the Commissioner could be divided into (a) those which required his sanction or authority and (b) supervisory. At the middle of the century and shortly after independence the Commissioner's functions, divided into these two groups under separate subjects and departments, were as follows:

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*Duties in which Commissioner's  
sanction or authority was needed.*

*Supervisory*

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### *1. Law and Order, Police, Jails and Government Appeals in Criminal Cases*

1. Incorporation of observations on the Police Administration Report submitted by the Superintendent of Police through the District Magistrate.

1. Supervision of the work of the District Magistrates in regard to the latter's responsibility for the maintenance of law and order.

*Duties in which Commissioner's sanction or authority was needed.*

*Supervisory*

2. Sanction the strength and allocation of village chowkidars.
3. Assessment of the cost of additional police imposed under Section 15 of the Police Act.
4. Revision of terms of sentences of convicts as Chairman of the Revising Board under paragraph 233 of the Jail Manual.
5. Recommendations to Government for filing Government appeals in criminal cases forwarded to him by the District Magistrates.
6. Grant of licences for pistols and revolvers under rule 129 of the Indian Arms Rules.
7. Renewal of licences to manufacture, convert, sell or keep for sale breach-loading rifles, or their parts, rifle ammunition or military stores for rifles and licences to sell such arms and ammunition, under rule 42(3) of the Arms Rules.
8. Rewards for killing certain categories of wild animals—between Rs. 100 and Rs. 250 in any individual case.  
[Rewards exceeding this amount were sanctioned by the Government and those up to Rs. 100 by the District Magistrate]
9. Hearing of appeals against the orders of the District Magistrate cancelling or suspending arms licences.
10. Incorporation of his remarks on the Annual Report under rules 193 and 194 of the Indian Arms Rules sent to him by the District Magistrate

2. Supervision in a general way and control over the District Magistrates over the jail administration.

*Duties in which Commissioner's sanction or authority was needed.*

*Supervisory*

for being forwarded to the Government.

11. Drawing up of the roster of non-official jail visitors.

*II. Judicial Case Work*

1. Hearing of appeals or revisions as the case may be under the U.P. Tenancy Act, the U.P. Land Revenue Act and the U.P. Encumbered Estates Act, District Board Act, Municipalities Act, the Mirzapur Stone Mahal Act (in Varanasi Division only).
2. Distribution of judicial work between himself and the Additional Commissioners,<sup>16</sup> if any.
3. Hearing of appeals against the assessment of Agricultural Income Tax.

Supervision of the work of the Additional District Magistrates (Judicial) in districts where the separation of the executive from the judiciary was in existence.

*III. Revenue Administration*

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Approval of changes in assessment owing to alluvial and diluvial and temporary settlements conducted otherwise than in the course of regular settlement operations.</li> <li>2. Remission of land revenue on the recommendation of the Collector.</li> <li>3. Sanction of leases of <i>Nazul</i> land.</li> <li>4. Transmission to Government under paragraph 414 of the</li> </ol> | <ol style="list-style-type: none"> <li>1. Collection of land revenue, canal and other miscellaneous dues.</li> <li>2. Land records work done in the districts.</li> <li>3. Territorial changes, partition, consolidation and mutation work.</li> <li>4. Management of Government and attached estates.</li> <li>5. Supervision over the realisation of <i>Taqavi</i> loans.</li> </ol> |
|---|--|

16. These posts exist since 1940. Initially, senior Deputy Collectors and officers promoted to the provincial cadre of the Indian Civil Service (Executive Branch) were appointed as Additional Commissioner but, as the appellate work mostly related to the decisions of the lower courts of Judicial Magistrates and Assistant Collectors (who were appointed subsequently), Additional District Magistrates (Judicial) were also promoted and appointed as Additional Commissioners later. Occasionally, I.A.S. officers are also posted as Additional Commissioner.

*Duties in which Commissioner's sanction or authority was needed.**Supervisory*

- |  |   |
|--|---|
| <p>Revenue Manual every proposal for acquisition of land for a public purpose.</p> <p>5. Sanction of the multiple of profit under paragraph 473-A of the Revenue Manual for a period of three years for each district in regard to the award of land compensation.</p> <p>6. Sanction remission or reduction of land revenue in respect of land acquired under Land Acquisition Act under paragraph 444 of the Revenue Manual.</p> <p>7. Appointment of Kanoongos.</p> <p>8. Transfers and postings of Tahsildars and Naib-Tahsildars within the Division.</p> <p>9. Maintenance of the Divisional List of certain officials of the Collectorates who were borne on the Divisional Cadre and their appointments, postings and transfers and hearing of appeals, memorials, etc. from them.</p> <p>10. Allocation of funds for <i>Taqavi</i> loans to the districts in the Division and remissions of the same.</p> | <p>6. Scrutiny of the district programmes relating to famine relief and other matters prescribed in the Famine Code.</p> <p>7. Supervision over estates under Court of Wards.</p> |
|--|---|

IV. *General Administration and Supervision over the District Officers*

- |  |  |
|--|--|
| <p>1. Forwarding of budget estimates for temporary establishments received from the Districts to Government.</p> <p>2. Sanction of temporary staff for District Officers under paragraphs 1342 and 1343 of the Revenue Manual.</p> <p>3. Reporting to Government the state of staff in the Division at</p> | <p>1. Inspection of work in districts and tahsils.</p> <p>2. Inspection of district officers and courts.</p> |
|--|--|

*Duties in which Commissioner's sanction or authority was needed.*

*Supervisory*

the end of January and August of each year.

4. Grant of special casual leave to certain categories of officers.
5. Proposals for grant of magisterial powers.
6. Forwarding of proposals for the sanction of staff for Courts of Honorary and Special Magistrates.
7. Functions relating to tents and camp equipments as prescribed in the Manual of Government Orders.
8. Confidential entries for character rolls of District Officers, I.C.S., I.A.S. and U.P.C.S. Officers and Judicial Officers serving in his Division.
9. Countersigning of travelling allowance bills of Collectors.
10. Sanction of Provident Fund advances.
11. Leave to gazetted officers up to a certain limit.
12. Exemption to ministerial staff from age limit, recommendations for confirmation and promotion of Deputy Collectors, Tahsildars and Naib Tahsildars.
13. Rewards in dacoity cases.
14. Formulation of proposals for sanitary works.
15. Application of Adulteration Act.
16. Public Works Department ferries.

#### *V. Local Bodies*

1. Removal of members of Town Area Committees under Section 7-A of the Town Areas Act.

Extensive authority over the District Boards, Municipal Boards, Notified Areas and Town Areas.



*Duties in which Commissioner's  
sanction or authority was needed.*

*Supervisory*

2. Sanction of projects of minor and major works in Town Areas.

#### VI. Transport

Granting of licences for plying of commercial vehicles over specified routes in his capacity as Chairman of Regional Transport Authority.

#### VII. Excise

Remarks on the Annual District Excise Administration Report.

General supervision over the working of the Excise Department.

#### VIII. Government Buildings

Construction, repairs, maintenance of buildings belonging to the Revenue Department.

#### IX. Forests

In the Kumaun Division, functions of the Conservator of Forests.

Supervision over the management of forests in his Division as prescribed in the Forest Manual.

#### X. Stamps

1. Functions delegated under Rules 196 to 198 of the Stamps Manual.
2. Writing off values in cases of injury to stamps and losses up to certain prescribed limits.

12.2.3. This arrangement worked very well as long as there were infrequent changes in administrative policies; or emergencies demanding close contact between the policy-making and implementing authorities did not arise. During the last World War when an emergency arose resulting in the introduction of numerous new administrative and economic measures and controls, necessitating closer co-ordination and more rapid communication between Government and the district authorities, the office of the Commissioner was often by-passed. With the achievement of independence and the adoption of a democratic pattern of Government, administrative policies went through quick and rapid changes which accentuated the process which

had been set in motion in the earlier years necessitating a number of changes in the functions of the Commissioner.

12.2.4. In 1947, it was decided to relieve the Commissioners of their routine duties and also of the judicial work. Their number was reduced, as mentioned in paragraph 5 of Chapter 12.1, and Additional Commissioners were appointed to deal with the appellate work relating to revenue laws. It was hoped that the reduced number would provide the chief supervisory agency for Government in matters of revenue administration and the Commissioners, being senior officers, would continue to give tone to district administration even in spheres other than those of revenue administration. In 1951, it was further felt by the Government that the responsibility for district administration should vest completely in the District Officers and not concurrently or jointly with any intermediaries between the Government and these officers. As a measure, therefore, of greater decentralisation, Government decided that the Commissioners need not be channels of correspondence between the District Officers and the Board of Revenue or the Government and that they should mostly perform certain appellate functions where prescribed under the law and make regular inspections for supervision over the District Officers' work. They were, therefore, relieved of most of the functions mentioned above except the following or where those functions were laid on Commissioners by statute, e.g., appeals under the U.P. (Temporary) Control of Rent and Eviction Act, etc.

*Law and Order:* All powers were allocated between the District Magistrate and the Government except for the grant of licences for manufacture, conversion or sale of breachloading rifles and parts thereof and ammunition for such rifles. The Commissioner was also to hear appeals against the orders of District Magistrates cancelling or suspending arms licences.

*Judicial Case Work:* The Commissioner was required to take over part of the work of Additional Commissioners and the same standard of disposal was prescribed for him as for Additional Commissioners.

*Revenue Administration:* The Commissioner was relieved of all work relating to revenue administration except for the routing of all proposals for acquisition of land for a public purpose through him and the maintenance of the Divisional list and hearing appeals and memorials, etc., from the personnel of district offices.

*General Administration and supervision over District officer:* The Commissioner was required to inspect in greater detail work in the districts to ensure efficient and honest administration and to see that the staff followed the rules of conduct and worked according to the desired standards. He was required to submit reports on the work done by the officers of ICS, I.A.S. and U.P. Civil Service (Executive Branch) and Judicial Officers on the basis of such inspections. He was relieved of all other duties which were distributed among the District Officer, the Land Reforms Commissioner and the Government.

*Local Bodies:* The Commissioner was relieved of all functions which he exercised as a result of delegations made by Government or under rules made under the enactments or executive instructions of the Government. He was to retain only such functions which he was required to perform under the specific provisions of the District Boards Act, the Municipalities Act (including Notified Areas to the extent of the application of the Act), the Town Areas Act as also certain other enactments concerning local bodies until suitable amendments to the relevant provisions could be made. He was to continue to exercise the authority to order removal of members of Town Area Committees under Section 7-A of the Town Area Act.

*Excise:* The Commissioner was relieved of all the duties in relation to the Excise administration and the District officer was to deal direct with the Excise Commissioner.

*Transport:* The Commissioner was to continue to work as chairman of the Regional Transport Authority.

*Government Buildings:* The Commissioner was relieved of all work in respect of such buildings.

*Forests:* Except for the Commissioner of Kumaun Division, other Commissioners were relieved of all duties relating to Forest administration.

*Stamps:* The Commissioner was relieved of all duties under this subject.

12.2.5. As a result of this re-allocation, the judicial work of the Commissioner was increased, but with the overall diminution in work, the number of Commissioners was further reduced. The duties taken away from the Commissioner were re-allocated between the District Officers, the Land Reforms Commissioner and the Board of Revenue. In the meantime, the District Magistrates, who were responsible for the maintenance of law and order and the efficient running of normal administration in the district, were also made responsible for the entire planning and development work in their districts. It was also felt that the local bodies, which were gradually learning the art of governance through decentralized democratic units, needed right and mature guidance and assistance for solving their problems. With the growth of these self-governing institutions and the increase in their functions and the growing political consciousness, the volume of work with which the administration had to deal increased considerably. There was considerable increase in Planning and development work also. The work needed close attention of senior officers like Commissioners. In 1954, therefore, the Commissioner was entrusted with the work of efficient supervision of planning and development in the districts, as also co-ordination and supervision of the different wings of public administration in the Division, including law and order, and to ensure efficiency, honesty and despatch in the conduct of all public works. He was for this purpose required to tour for about twenty days every month. He was also to guide district

officers as well and solve inter-departmental problems and assess the work of officers of the various department<sup>17</sup> in charge of planning and development schemes in the district by recording his own remarks upon the reports forwarded by the District Officers before sending them on to the heads of departments concerned. He was also entrusted with the duty of recording his views in the annual character rolls of the respective officers. Heads of departments were required to keep in touch with him to secure his help in solving their problems and to direct the district and regional officers to maintain necessary contacts with the Commissioner and to seek his guidance, help and advice in such matters. While it had earlier been decided that the Commissioner would not function as an intermediary for the correspondence between the District Officer and the Government, it was now decided that where the District Magistrate corresponded direct with the Government, copies of all important communications would be sent to the Commissioner and the Commissioner could forward his own comments to the Government. Many of his functions and duties were revived and in addition he was charged with the responsibility of supervising developmental activities in his Division. No significant changes in the duties and functions of the Commissioner were subsequently made except that since October 1, 1962 the issue of licences for semi-automatic fire arms no longer required the concurrence of the Commissioner and that in 1967 after the separation of judiciary from the executive,<sup>18</sup> Judicial Officers were transferred to the charge of the High Court of Judicature and the supervision over the work of Additional District Magistrates (Judicial) and Judicial Officers was withdrawn from the purview of the Commissioner and transferred to the District Judge instead.

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17. A Commissioner of Division has to keep a vigilant eye on the developmental activities going on in the districts within his Division and while he reports on numerous district level officers, details of which are given in paragraph 20 of Chapter 12.4, he now reports directly on the Regional Officers of Agriculture, Co-operative, Cane Development, Minor Irrigation, Animal Husbandry, Fisheries, Community Development, Panchayati Raj and Irrigation (Tubewells) Departments, through the Head of Department concerned, to the Commissioner and Secretary, Agricultural Production and Rural Development, who is incharge of those departments. He also reports to the concerned Head of Department, through the Commissioner and Secretary, Agricultural Production and Rural Development, in respect of the Regional officers of Education, Public Health, Medical, Economics and Statistics, Industries, Forests, Agricultural Engineering, Harijan Sahayak, Prantiya Rakshak Dal and Social Welfare Departments as also on officers of the Information and Publicity Department, if any, posted in the Division. Formerly, the Regional officers of Irrigation and Public Works Departments, viz. Executive Engineers and Superintending Engineers, were also included in this reporting arrangement but as an experimental measure, since July, 1967, an informal system has been adopted in which these officers are expected to give maximum co-operation to the District Officers and the Divisional Commissioner in the implementation of development plans. The Commissioner does not now normally report on them but he can report any lapses on their part to the next superior departmental authority and, in persistent bad cases, even to Government.

18. For details, see paragraph 3.1.11 of Chapter 3.1 on Appointment Department, pp. 63-67.

12.2.6. In the Divisions where appellate work is heavy, the Commissioner is assisted by one or more Additional Commissioners. The position regarding their headquarters and number as obtaining in March, 1969 was as follows:

- |   |   |  |
|---|---|--|
| 1. Additional Commissioner,<br>Gorakhpur  | } | All the three officers for Gorakhpur Division. |
| 2. -do-                                   |   |  |
| 3. -do-                                   |   |  |
| 4. Additional Commissioner,<br>Faizabad   |   | For Faizabad Division.                         |
| 5. -do-                                   |   | For Faizabad and Lucknow Divisions.            |
| 6. Additional Commissioner,<br>Bareilly   |   | For Rohilkhand, Kumaun and Garhwal Divisions.  |
| 7. Additional Commissioner,<br>Agra       |   | For Agra and Meerut Divisions.                 |
| 8. Additional Commissioner,<br>Varanasi   | } | Both for Varanasi Division.                    |
| 9. -do-                                   |   |  |
| 10. Additional Commissioner,<br>Allahabad |   | For Allahabad Division.                        |
| 11. Additional Commissioner,<br>Jhansi    |   | For Jhansi Division.                           |

12.2.7. The office of a Commissioner of Division is a small one consisting of a Head Assistant, a stenographer and a few other assistants, including, *Sarishtedar* and one or more Court Clerks for help in the Commissioner's judicial functions. An Additional Commissioner, where posted, is also helped by two or more assistants, including a stenographer. Establishment matters and those relating to budget, etc., of Divisional Commissioner's offices and offices of Collectors, including Land Record Establishment, are dealt with in the Revenue Department.

## 12.3. DISTRICT ADMINISTRATION

12.3.1. The division of the State into Regions or Divisions is not territorially uniform, since some Divisions are large and some small. Next in descending order is the district, which is again subdivided into *Tahsils*,<sup>19</sup> and the latter into *parganas*,<sup>20</sup> police circles, etc., and at the bottom of the rung is the village. Village, *tahsil* and district are units which are territorially determinate and invariable. Most of the local administration is conducted with the district as the unit, and representatives of all Government departments, which have any field duties, have their offices in the district and generally at the headquarters town. Villages, *parganas*, and also *tahsils* existed even before the British rule, but the district is a new territorial aggregate which did not find place in the older regimes. *Sarkars* under Akbar were the nearest equivalent of the districts but dissimilar in many ways, since these were larger in area and more or less equivalent to States of to-day. The largest district in the State has an area of 11,316 sq. kilometres (Mirzapur) and the smallest 2,318 sq. kilometres (Rampur). The largest number of villages are in Basti (6,966), and the smallest number in Uttar Kashi (662). The most populous district, according to the census of 1961, was Meerut (27.13 lakhs) and the least one Uttar Kashi (1.23 lakhs). The average area of a district is 5,462 sq. kilometres, the average number of villages 2,086 and the average population 13,65,674 souls.

12.3.2. It was only by accident that the district came to represent the chief territorial unit for local administration, and we have to go back to the eighteenth century to trace its origin. It is no doubt a digression but would be of some interest since exact accounts are generally not readily available. The East India Company had initially under its domain only the *Zamindari* of Calcutta and Twenty-four *parganas* and these areas were managed through a Resident or Chief, whose job was to collect rents, exercise certain judicial powers and pay revenue to the Moghul Government or to Lord Clive or his heirs (till 1785) respectively, since the latter area was held by Clive as a revenue-free *jagir*. When a perpetual grant of the territories comprised of the districts of Midnapur, Chittagong and Burdwan was made to the East India Company in 1760, even though the territories were held in full sovereignty, the same arrangement was extended to these three districts also. Henry Verelst who was then a Member of the Council was appointed to hold charge of Chittagong. He held this district from 1761 to 1765 as an agent and then took over charge of Burdwan in 1765 and that of Midnapur in 1766. In 1765, the *Dewani*, i.e., the financial and civil administration of the

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19. A *Tahsil* is a sub-division of a district for realization and collection of land revenue and for other purposes of revenue administration. *Taluk* is a synonym of *Tahsil* in some of the States.

20. *Pargana* is a sub-division of a *Tahsil*, and, as a unit of administration, it is a territorial entity of considerable antiquity, which existed even in Akbar's regime, though with a different size. It is now used only for the purpose of land records and soil classification.



rest of Bengal, Bihar and Orissa was given to the East India Company by Shah Alam. The system followed in the *dewani* territories was to appoint a Resident each at Murshidabad and Patna and the Indian *Naib-Dewans*, who were ministers of the Nawab, were also simultaneously appointed as representatives of the East India Company for the *dewani* administration. The Company's officers were not directly appointed on the ground that they were unacquainted with the business of collection. But this arrangement did not yield satisfactory results, and rapacity and oppression prevailed as a result of the exercise by local officers of power without responsibility. On the other hand, it was found that the administration of the districts under Henry Verelst was more satisfactory and in striking contrast to the rest of the province. In 1769, therefore, that system was also extended to the *Dewani* territories, and the Company's agents were designated as 'Supervisors' whose duty was 'to watch the collections and correct abuses of power.' They were also entrusted with the work of collecting data for a history of the district including all incidents which had a bearing on the affairs of the district, e.g., preparation of a rent roll of the district, fixation of ancient boundaries and divisions, investigation of titles to land, classification of lands, setting down of amounts of revenue and cesses payable, regulation of commerce, provision of security for the inhabitants and administration of civil justice. In 1772 the designation of Supervisors was changed into that of Collectors and they were made responsible for collecting the revenues. The dual control with the aid of *naib dewans* was done away with, as it had not in any way helped in minimizing the misuse of power by the latter. District courts in the shape of *nizamat adalat* for administration of criminal justice and *diwani adalat* for trial of civil suits were set up. The number of districts was reduced. In 1773 the Collectors were withdrawn in pursuance of the policy of the Board of Directors to have a centralized set up and to conduct local administration through Indian *diwans*. As a measure of compromise, the incumbents were not disbanded but called to regional headquarters and constituted into Councils. This arrangement did not work satisfactorily though it dragged on for many years until collectorships were re-instituted in 1781.<sup>21</sup> Collectors were fully restored to power in 1786, and were entrusted with the settlement of revenues and trial of revenue and civil cases. Almost simultaneously they were vested with magisterial powers. The Collector's establishment was divided into two divisions—English and Indian. In the English division he was assisted by revenue and judicial assistants and also had a surgeon on his staff. For the Indian division he had a *sarishtedar*, *Muharrirs*, *Nazir*<sup>22</sup> and peons. There was also a treasury. In addition to

21. Blunt, Sir Edward: The I.C.S.; Faber and Faber, London, pp. 36-37.

22. These are all Urdu names for different clerical posts. *Sarishtedar* is a Reader who usually reads out papers to a presiding officer of a Court and places them for his orders. The post is now found in Commissioner's office. (*Peshkar* is a similar kind of post, though a little lower in status). *Muharrir* is a court clerk, *Nazir* is the ministerial head of *Nazarat* which looks to the general house-keeping functions of a Collector's office.

this, he had a judicial and jail establishment too. In 1793, however, there was a significant change when it was decided to transfer from the Collector to the District Judge, all revenue and magisterial powers except that of collecting the revenue, thus placing the Collector in a secondary role. The District Judge had thus in addition to civil, the magisterial powers too and was thus in control of the police. This system was first introduced in this State in 1795, when the Banaras territory, already ceded to the British in 1775 and placed under the immediate authority of a Resident, was taken over by the East India Company for direct management. In 1795, therefore, the Resident at Banaras was replaced by a Collector. Subsequently, the same system was extended to the ceded and conquered provinces between 1801 and 1803, a Judge-Magistrate and a Collector were appointed practically for each of the districts then formed.<sup>23</sup> The Judge-Magistrate and the Collector were between themselves responsible for the entire civil, judicial and fiscal administration. Under Regulation 4 of 1821, Magistrate's powers could be given to Collectors also; in 1822 powers relating to Revenue and Settlement work were given back to Collectors, and in 1831 the magisterial work of judges was fully transferred to Collectors and since then the Collector and District Magistrate came to occupy a pre-eminent position in the district.

12.3.3. While in some districts the civil head of the district is called Collector, in other districts of Avadh included in the Divisions of Lucknow and Faizabad, and the districts of Kumaun Division, including Garhwal Division also which hitherto formed part of Kumaun, he is called Deputy Commissioner. This distinction intrigues those who are not acquainted with the reason for this disparity. A word may, therefore, be said about this anachronism. The Presidencies derived their names from the President who, with a Board of Directors, was resident at each of the Presidency towns. These towns were the centres of the Government and each Presidency was governed by laws which, till 1834, were called Regulations. Consequently, all such territories which were acquired or annexed to one Presidency or the other were subject to the regulations enforced in that Presidency, and were known as regulated areas or Regulation Provinces. There were, at the same time, many newly acquired territories such as Kumaun and Avadh, for which the laws of the regulated areas were considered unsuitable. These territories, which needed a simpler form of administration, were governed by executive orders of the Governor-General in Council, although those orders mostly conformed to the principles of the Regulations. Such areas, which did not form part of any Presidency, were known by the negative expression of non-Regulation Provinces. Under the Charter Act of 1793 it had been provided that civil offices under the Government should be filled by covenanted civil servants of the Presidency to which the vacant offices belonged, and as covenanted civil servants were later recruited from amongst those who had passed

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23. Douglas Dewar: *op. cit.*, pp. 38-39.

through the East India Company's College at Haileybury in England, the Governor General had no authority to appoint non-covenanted officers to Regulation Provinces. He could, however, appoint in his discretion European, Anglo-Indian or Indian uncovenanted officers to non-Regulation Provinces. When there were vacancies in these provinces for which covenanted officers were not available, or the circumstances of the areas in the jurisdiction of non-Regulation provinces required a different arrangement, the officers so appointed for civil administration were designated as Deputy Commissioners, though in Garhwal and Kumaun they were known as Senior Assistant Commissioners till 1891.<sup>24</sup> The designation of Collector of districts in Regulation Provinces was based on the original nomenclature adopted in 1772 when the designation of 'Supervisors' was changed to 'Collectors of Revenue'. In 1834, a general legislative council was constituted to make laws for all the areas and in 1858 the powers of the Company were transferred to the British Crown. The distinction in nomenclature should have then been abolished in 1834 but somehow it continues to exist to this day. In Kumaun and Avadh the position was slightly different. In Kumaun formerly, the Deputy Commissioner, who was also a Collector and District Magistrate, had the civil powers of a District Judge too in certain cases, and the Commissioner also discharged the functions of a Sessions Judge in criminal matters. The Commissioner was also the High Court for civil matters in Kumaun, though appeals in criminal cases went to the High Court of Judicature at Allahabad.<sup>25</sup> Numerous constitutional and administrative changes were introduced since then in the matters of criminal, civil and revenue courts and police, and most of the basic laws of the plains were extended to Kumaun right from 1901. Gradually the system of administration was made practically uniform throughout the State so far as the office of a Collector or a Deputy Commissioner was concerned. The position is, however, well covered by Section 4 of the U.P. General Clauses Act, 1904, which includes a 'Deputy Commissioner' within the definition of the expression 'Collector'. There were, however, some departures too. Deputy Commissioners in Jhansi Division were renamed as Collectors long ago.<sup>26</sup> Another departure from the prevalent practice was made in the case of Dehra Dun district. After the defeat of Gurkhas, Dehra Dun was annexed to the British territory and attached to Saharanpur district in November, 1815. In 1824, it was represented that the rules and regulations made for the people of the plains were not suited to the people of that district. The district was, therefore, brought under the Commissioner of Kumaun in 1825. The designation given to the District Officer was 'Superintendent of

24. District Gazetteers, *op. cit.*, Almora (1911), pp. 122-23.

25. District Gazetteers, *op. cit.*, Naini Tal (1904), pp. 141-42, Almora (1911), pp. 133-34.

26. District Gazetteers, *op. cit.*, Vol. XXIV, Jhansi (1909), p. 135.

This seems to have been done after the districts in Jhansi Division were temporarily attached to Allahabad Division in 1890 where the chief officer in charge of the revenue administration of a district was called Collector.

Dehra Dun', because he was in those days 'custodian' of the Doon Valley. The district was, however, transferred back to Meerut Division on May 1, 1829,<sup>27</sup> but it continued under the charge of the Superintendent of the Doon, as he later began to be called, till November 20, 1947, when his designation was changed as "Magistrate and Collector", Dehra Dun.

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27. Douglas Dewar, *op. cit.*, pp. 163 and 440.

## 12.4. THE COLLECTOR AND THE DISTRICT ADMINISTRATION

✓ 12.4.1. The district is the most important single unit of administration in which the Government comes into intimate contact with the citizens. The head of the civil administration in a district is the Collector who is also District Magistrate. He is a regional officer but he represents the Government in the district in practically all spheres of its activities. The office was created during colonial administration, but the Government which he represents and is subordinate to, is now democratically elected; he himself is a permanent official and possesses extensive magisterial, police and revenue powers.

12.4.2. From the very beginning, the Collector was responsible for the fair and prompt collection of land revenue (and in this duty is the genesis of his name), assessment and levy of other taxes, such as excise and customs, and maintenance of land records. He, as District Magistrate, maintained law and order and was also head of the Police administration until 1860. He was also entirely responsible for the maintenance and administration of jails until 1844 when the post of Inspector of Jails was created. The Civil Surgeon in the district was regarded to be on the Collector's staff. Public Works Department was entirely in his charge. In course of time, new departments were created and many of these duties were either wholly or partially transferred to these departments, but the main duties of the maintenance of law and order, keeping constant watch over the condition of the crops and peasantry, handling of all emergencies such as floods, famine, droughts, fire, etc., and other natural calamities and recommending to the Government suspension or remission of land revenue, grant of gratuitous relief and agricultural loans, known as *taqavi*, for seed, agricultural implements, etc., in order to assist the peasantry to tide over difficult situations, maintenance of records of land, collection of revenue, realization of *taqavi* loans and dispensing of justice both under penal as well as under revenue laws, continued to be his responsibility. In addition, in his capacity of a District Officer, as he is also commonly called, he continues to perform multifarious other duties. If there is an assignment which does not relate to any particular department, or that department has no field staff of its own, it is quite often entrusted to the District Officer. This makes his work unwieldy. Since Independence, there has been an enormous increase in his duties and functions as he is expected to take over projects and assignments which are introduced by Government from time to time and relate to general welfare, planning, development, Census, Van Mahotsava, Wild Life Preservation, securing investments to Small Savings, raising of loans for the State Government and the recent addition of the sales of State Lottery tickets.

12.4.3. The Collector<sup>28</sup> is assisted by a number of Deputy Col-

28. He is an officer in the senior scale of Indian Administrative Service or a senior officer of the U.P. Civil Service (Executive Branch), brought on the 'Select List' on the basis of his suitability for the P.A.S.

lectors<sup>29</sup> belonging to the U.P. Civil Service (Executive Branch) who function as Magistrate and Assistant Collector, First Class.<sup>30</sup> They may also either hold the charge of Sub-Divisions<sup>31</sup> or work as Additional District Magistrate in bigger districts, when they assist the Collector generally in all his functions and also supervise the work of other Magistrates. In some districts, the Collector is also assisted by a few junior officers of the Indian Administrative Service,<sup>32</sup> who are known in the districts as Joint Magistrates. They work in the district in the same way as other Deputy Collectors. All these officers help the Collector in the different branches of administration such as land records, collection of revenue and government dues, etc., in addition to performing their own functions as Sub-divisional Officers and Magistrates. The District Magistrate is also *ex-officio* District Election Officer. The officer in immediate charge of the District Election Office is one of the Deputy Collectors who is designated as Deputy District Election Officer. There is also a wholetime Treasury Officer who is in charge of the District Treasury and supervises the work of Tahsil sub-treasuries. A comparatively new and important duty of the Collector since the middle of this century has been the direction in planning and development activities in the district. The District Planning Officer, who looks after these activities and who is in many districts designated as Additional District Magistrate (Planning), works under the Collector's control. However, with the enactment of the U.P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961, the Zila Parishad and the Kshettra Samitis were also made responsible for planning and development work at their respective levels. The Adhyaksh, Zila Parishad has also general control over the District Planning Officer in the latter's capacity as Mukhya Adhi-

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29. In order to release Deputy Collectors for appointment as Civil Defence Magistrates in the larger towns during World War II, posts of Revenue Officers were created in 1942 for a number of districts, excluding Kumaun (which then included the present Garhwal Division also). These officers were given the powers of an Assistant Collector of the First Class, and their duties were confined to the disposal of revenue cases. They were not Assistant Collectors in charge of sub-divisions. In 1949, Revenue Officers were invested with criminal powers also, and the Judicial Magistrates, who were initially appointed in 1947 for trial of criminal cases, were similarly invested with revenue powers. Consequently, every Judicial Magistrate and every Revenue Officer was then an Assistant Collector, First Class, and a Magistrate, First Class. The two posts were amalgamated in 1949 simultaneously and the designation was changed in 1950 as Judicial Officer. (See also footnote no. 35).

30. Each Deputy Collector on entering service holds powers of a Magistrate of Third Class under the Criminal Procedure Code and the powers of an Assistant Collector, Second Class, under the U.P. Land Revenue Act, 1901. Depending upon the completion of his judicial training, passing of departmental examinations and on the recommendations of the District Magistrate, the Government in the Home (General) and the Revenue Departments invest him with powers of Magistrate of the Second Class and then of the First Class and Assistant Collector, First Class, respectively.

31. See paragraph 1 of Chapter 12.5 on Tahsil and Village Administration, p. 730.

32. The conferment of magisterial and revenue powers on these officers is on lines similar to those followed in the case of Deputy Collectors.



kari of the Parishad. The Collector, being the representative of the Government, is all the same, expected to keep a watch on the progress of works and guide the Zila Parishad and the Samitis. He sends periodical reports to the Government with regard to the progress of development work.

12.4.4. The office of the Collector is usually known as 'Collectorate', and is situated at the headquarters town of the District. All the districts have the same name for the headquarters town except for Farrukhabad, Jalaun, Garhwal and Tehri-Garhwal, for which the headquarters towns respectively are Fatehgarh, Orai, Pauri, and Narendra Nagar. The district of Lakhimpur is also sometimes written as Lakhimpur-Kheri, or simply Kheri, with headquarters at Lakhimpur. The Collector is named as Deputy Commissioner in Lucknow, Faizabad, Kumaun and Garhwal Divisions, although this distinction is hardly necessary now, as mentioned earlier. The Collectorate is divided into various branches, viz., Combined Office, Record Rooms, Court staff, Tahsil staff and Land Records Office. The last, which is manned by a Sadar Kanoongo and a Land Records Clerk forms a separate wing and is placed under the charge of one of the Deputy Collectors who is designated as Land Records Officer. The work at the district headquarters is supervised by Deputy Collectors designated as Officer-in-charge, Combined Office; Officer-in-charge, *Nazarat*; Officer-in-charge, Record Room; and Office-in-charge, Collection. The Court staff consists of a Reader (*Peshkar*) and one or two *Ahalmads*; the former presents the papers for orders of the Court and the latter look after the maintenance of records and issue of processes. District Election Offices were declared as attached offices separate from and independent of the Collectorate in August 1957. District Information Offices were wound up in September 1967, except in the three northern border districts of Uttar Kashi, Chamoli and Pithoragarh and their charge was taken over by one of the Deputy Collectors on the strength of each district under care of the Collector.

12.4.5. The Office Superintendent of the Collectorate, who is appointed by the Commissioner of the Division, is head of the entire clerical and lower staff of the office. For facility of administration and to ensure greater efficiency, the combined office, including the Record Rooms and the *Nazarat*, were divided on the reorganization of Collectorates<sup>33</sup> with effect from January 1, 1957, into various Sections under the charge of senior clerks designated as Revenue Assistant, Judicial Assistant, Chief Revenue Accountant (*Sadar Wasil Baqi Navis*), *Nazir*, English Record Keeper, Revenue Record Keeper,

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33. This was done on the recommendations made by Sri K.K. Dass, I.C.S., formerly Commissioner for Reorganization, U.P. in his report on Reorganization of Collectorates, (1956). Government orders to that effect were issued on December 26/31, 1956 from the General Administration (Reorganization) Department. The matters arising therefrom are dealt with in Revenue (B) Department since March 9, 1958.

Judicial Record Keeper and *Sadar Kanoongo*.<sup>34</sup> The Office Superintendent, who has control over all the Sections, has a General Clerk directly attached to him to look after establishment matters of the Collectorate. The Chief Revenue Accountant is in charge of work relating to collection of land revenue, canal dues and *taqavi* and of dues of other departments such as income tax, sales tax, etc., as arrears of land revenue. Actual collection is done in Tahsils. The progress of work is periodically inspected by auditors of the Board of Revenue. Matters regarding land acquisition, as also regarding remission of land revenue, are also handled by him. The *Nazir* in-charge of *Nazarat*, assisted by a deputy, called *Naib Nazir*, looks after housekeeping and caretaker functions, such as maintenance of buildings and furniture, keeping of various accounts and service of processes issued by Courts and land revenue demand notices through process servers and Revenue Peons. The English Record Keeper is in-charge of the general office correspondence. He is assisted in his work by a few assistants and a Librarian. The Revenue and the Judicial Record Keepers are custodians of old records of the respective sides and are assisted by Arrangers, Weeders, Form Keeper, Copyists and Bundle Lifters. Copies of documents are issued either by the Court or the Record Keepers. The *Sadar Kanoongo*, who looks after the land records and performs supervisory duties in connection with watching the progress of work of Supervisor and Registrar Kanoongos, is assisted in his work by Zamindari Abolition Clerk, Agricultural Income Tax Clerk, Land Records Clerk and Encumbered Estates Clerk. He is more of a general adviser to the Collector on land-record matters and re-checks most of the matters already checked by Tahsildars and Sub-Divisional Officers, and thus indicates broadly the general features and points out where Collector's instructions are necessary. The Land Records Officer is also assisted at the headquarters by a Naib Tahsildar mainly for work connected with Agricultural Income Tax. Inquiry Offices exist in some of the bigger districts, e.g., Meerut, Agra, Bareilly, Allahabad, Varanasi, Gorakhpur, Lucknow, Faizabad and Kanpur.

12.4.6. Formerly, the Treasury staff was also borne on the Revenue cadre of Collectorates, but on the reorganization of Treasuries, it was separated from the Collectorate staff from April 1, 1958 and placed directly under the control and supervision of the Treasury Officer. The Collector, however, continues to be the appointing authority of the Treasury staff as well, but Treasury Officers can appoint persons in short term leave vacancies.

12.4.7. Over the course of years the duties of Collector have, notwithstanding the creation of a number of specialised agencies and departments, become extensive and multifarious. It would be desirable to refer to them briefly. These can for the sake of convenience

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34. Though an official of Land Records Office, he is placed under the Office Superintendent for proper supervision over the Land Records work in the Collectorate. (Also see Section 3 in paragraph 7.1.10 of Chapter 7.1. on Revenue Department, p. 185-87).

be grouped under the heads Judicial, Law and Order, Jails, Land Revenue and other matters related to revenue administration, Cadastrol Survey and Land Records, Land Reforms, Relief measures in cases of scarcity or natural calamities, Excise and other Government levies, functions in his capacity as chief representative of Government in the district, contact with the masses during tour, Local Bodies, Civil Supplies, Planning and Development, Elections and miscellaneous. Each of these subjects and the duties performed by the Collector in regard to them are outlined in the following paragraphs.

12.4.8. *Judicial*: Until the year 1947 the District Magistrate was the Chief Magistrate in the District with Sub-Divisional Magistrates subordinate to him. In their turn the sub-Divisional Magistrates heard and decided cases under the Indian Penal Code and other laws relating to criminal offences and the District Magistrate used to hear appeals from the decisions of the Magistrates III Class. Appeals from the decisions of other Magistrates were heard by the District Judge. In the year 1947 Judicial Officers<sup>35</sup> were appointed to help out Sub-Divisional Magistrates, whose work had become heavy owing to added responsibilities during the war. This became the nucleus for the separation of the judiciary from the executive in 1949 at the level of criminal courts of original jurisdiction and also for revenue case work. Initially judicial officers were appointed in eight districts. Shortly after independence the scheme was further extended to other districts and in course of time covered a total of 47 districts. However, there were seven districts in 1967 where separation had not been introduced and the Sub-Divisional Magistrates continued to function as before. In the 'separation districts', as they were called, the Additional District Magistrate (Judicial) was not subordinate to the Collector but to the Commissioner of the Division, and the Judicial Officers in the districts worked under his supervision. The Additional District Magistrate (Judicial) had powers of the District Magistrate under the Criminal Procedure Code and that of Collector under the U.P. Land Revenue Act. Judicial Officers tried cases under the Indian Penal Code and other enactments relating to criminal offences as also cases regarding tenancy of land. The Sub-Divisional Magistrates continued to try cases even in separation districts under the preventive sections of the Criminal Procedure Code and also under the U.P. Land Revenue Act. With effect, however, from October 2, 1967 the Judiciary was separated entirely from the executive and the Judicial Officers were placed under the administrative control of the High Court and so were the Additional District Magistrates (Judicial). In the past Judicial Officers used to do both criminal as well as revenue work but now revenue work was separated from criminal and a Judicial

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35. These officers, when appointed initially in 1947, were designated as 'Judicial Officer', but in 1948 their designation was changed to Judicial Magistrate. The post of Judicial Magistrate and of Revenue Officer were, however, amalgamated in 1949, as mentioned in foot note no. 29. and the original designation of Judicial Officer was restored in 1950. The posts constitute now the U.P. Judicial Officers' Service. (See also Chapter 3.1. on Appointment Department, p. 63).

Officer does either criminal case work or, when on loan from the High Court, revenue case work. The Sub Divisional Magistrates, or Executive Magistrates as they are called, continue to decide cases under the Criminal Procedure Code and attend to other magisterial duties. The cases decided by them fall under:

- (i) sections 107/117, 109, 110 and 145 of the Criminal Procedure code; and
- (ii) other miscellaneous local and special Acts, such as Arms Act, Excise Act, Prevention of Food Adulteration Act, Gambling Act, Essential Commodities Act, etc.

They also conduct identification proceedings, record dying declarations, confessions and statements under Section 164 of Criminal Procedure Code. In cases of urgent and pressing necessity, the District Magistrate can avail of the services of Judicial Officers posted in the district with the approval of the District and Sessions Judge and in the knowledge of the High Court.<sup>36</sup> There were Honorary

36. Although the services of Judicial Officers could thus be availed of, it was not possible for a District Magistrate to utilize them for law and order duties in the normal course. A District Magistrate is expected to handle normal law and order problems arising from day to day with the assistance of the Magistrates already available on the district strength. To meet more difficult situations and to provide a reserve of officers which could be utilized for law and order duties only on special occasions, such as festivals, etc., at the discretion of the District Magistrate, when, in his opinion, the regular Magistrates borne on the district strength were not adequate, alternative arrangements were made and First Class magisterial powers were conferred, under Home (General) Department notifications dated February 6, 1968, on—

- (a) all Tahsildars working on the district strength;
- (b) all Deputy Collectors working as Additional District Magistrates (Planning) or District Planning Officers;

(c) all Deputy Collectors posted outside the regular line, i.e., those working:

- (i) in the Secretariat;
- (ii) at the headquarters or regional offices of Heads of Departments;
- (iii) in the Nagar Mahapalikas, Municipal Board and Improvement Trust, Ghaziabad and other Municipal Boards;
- (iv) as District Supply Officers/Town Rationing Officers, Deputy Town Rationing Officer, Kanpur, Forest Settlement Officers, Assistant Record Officers, Special Land Acquisition Officers, Regional Transport Magistrates, District Relief and Rehabilitation Officers, District Family Planning Officers; Principal, Kanoongo Training School, Hardoi; Principal, Consolidation Training Centre, Rae Bareilly; General Managers, Co-operative Sugar Factories; Principal, Civil Defence Training Centre, Lucknow; Commandants, Transit Camps, Hastinapur and Rudrapur; Colonisation Officer, Pilibhit Colonisation Scheme; Secretary, Husainabad and Allied Trusts, Lucknow and O.S.D., Sales Tax Collections, Kanpur.

Also, Second Class magisterial powers were given to all regular Naib Tahsildars working in the districts. Hitherto, Tahsildars were invested with Second Class magisterial powers, and they disposed of criminal case work under those powers. They still continue to deal with cases triable by Magistrates of the Second Class. The First Class powers conferred on them recently are not used for trial of cases but only for law and order purposes. Similarly, Naib Tahsildars, who have now been given Second Class magisterial powers and who did not have any magisterial power earlier, as also the officers mentioned at (b) and (c) above, are not utilized for case work.

Special Magistrates also to try cases under the Indian Penal Code, as well as minor cases transferred to them under other special Acts. Honorary Magistrates tried these cases singly, if they had been vested with powers of the First Class, or as members of a Bench when powers of Second or Third Class Magistrates were conferred on them. This institution was abolished in April 1967, and the cases dealt with by these magistrates were transferred to the courts of Munsifs.<sup>37</sup>

12.4.9. The Collector also works as Land Acquisition Officer and acquires land under Land Acquisition Act and other similar laws whenever a request is made to him by a Government department or any such organization for which land can be acquired under the law, after satisfying himself that the acquisition of land is necessary in the interest of Government or the public institution concerned. Whenever work in this sphere is excessive, a separate officer, a Joint Magistrate or a Deputy Collector, usually exercises the power of the Collector, but even then the Collector has to supervise a good deal of work himself. Officers of the Public Works Department help the District Officer in valuation of land, under para 478 of the Revenue Manual, whenever it is acquired by the Government.

12.4.10. *Law and Order.* Though the Superintendent of Police is not subordinate, his position is only secondary to that of the District Magistrate as the latter is responsible for the maintenance of law and order as head of criminal administration in the District. This duty is quite onerous and takes him into an area of very delicate relations with the police of the district whose confidence and goodwill he has to try at all costs to cultivate and maintain. In order to keep a careful watch on the general crime situation in the district, the District Magistrate receives reports and returns, the more important of which are (i) the first information reports and continuation sheets of all serious crimes, (ii) daily reports submitted by the Public Prosecutor in respect of convictions and acquittals in order to keep the District Magistrate posted with regard to the disposal of cases, and the adequacy or otherwise of sentences awarded, and (iii) fortnightly crime reports. Transfers or postings of Police Station Officers cannot be made without consulting the District Magistrate. Arms licences are issued by him for guns, and rifles as also for explo-

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37. The institution of Honorary Special Magistrates was, however, revived in June, 1969. To begin with, it was decided to set up 100 courts of Honorary Special Magistrates to expedite disposal of mounting pending criminal cases, the number of courts to be set up in a district was dependent on the number of pending cases and the strength of the Magistrates in the district. This step was taken as it was not found possible to effect any increase in the number of existing magistrates because of financial stringency. Only those retired government officials were to be appointed as Honorary Magistrates who had at least ten years' experience of deciding criminal, civil and revenue cases and were not over 68 years of age and whose integrity was not doubtful. The preliminary selections were to be made by district committees with the District Magistrate and the District and Sessions Judge as members and the Divisional Commissioner as Chairman. The recommendations of these committees were to be considered by the State Government in consultation with the High Court and appointments made by the Government.



sives. He has also to keep a watch on group or factional animosities in order to ensure that no outbreak of disturbance occurs. If there are any riots or other disturbances, the entire magisterial and police administration is integrated under his authority to combat the situation. He orders magisterial postings during festivals, and promulgates orders under section 144 of the Criminal Procedure Code whenever there is any danger of breach of the public peace and tranquillity. He submits the Annual Crime Report to Government, inspects police stations, and disposes of various petitions and miscellaneous general complaints received from the members of the public direct or through Government. The District Magistrate is also responsible for the enforcement of the Press Act in his district.

12.4.11. *District Jails*: The District Jail, where both undertrial as well as convicts are lodged, is in most districts under the charge of a part-time Superintendent, who is the Civil Surgeon of the district. In the case of the larger districts, the Jail is managed by a wholetime Superintendent. The District Magistrate is required to inspect the jail at least once a month to look into the administration of the jail, besides finding out the reasons for undue detention of undertrials. He arranges for the expeditious disposal of cases of undertrial prisoners and supervises premature release of prisoners or release on parole. He also supervises the work of probation officers. In case any convict escapes from the jail, the District Magistrate makes an enquiry into the matter.

12.4.12. *Cadastral Survey and Land Records*: Basically, the village records are prepared by the Lekhpai; these are checked by the Kanoongo and subsequently further examined and tested by the Naib Tahsildar, Tahsildar and Sub-Divisional Officer. In the course of his tours the Collector is also expected to supervise and ensure their correct maintenance. In certain areas where excessive corrections in the records become necessary owing to the action of rivers or other causes, the Collector may even have to conduct Record Operations which involve the preparation of new cadastral maps and new records of rights. It is not long when Collector used to devote a few hours each day on the work of checking which is generally known as 'Partial' in the course of his winter tour. Besides collection of agrarian statistics, he also maintains rainfall data and submits these regularly to Government, and during his winter tour personally inspects trigonometrical survey marks and stations and arranges for their maintenance. He also supervises the transmission of crop forecasts, based on crop cutting experiments and sampling of yield.

12.4.13. *Land Revenue and Revenue Administration*: The Collector is responsible for the collection of the demand of land revenue, canal dues, cane purchase tax and also for keeping a careful watch over receipts from week to week through statements of land revenue collections which are received from Tahsils. He has to keep a watch over other Government revenues which are levied either under his supervision or which are referred to him from other departments for collection as land revenue. Estimates of work in respect of revenue



buildings in his charge are prepared by him. He also submits the annual report of Revenue Administration to the Board of Revenue.

12.4.14. *Land Reform*: With the abolition of Zamindari in 1952 a number of duties with regard to the management of lands which vest with the Government and also of such lands which are vacated have fallen on the Collector. The functioning of Village Land Management Committees and letting of vacant lands to deserving individuals, removal of encroachments, maintaining the sanctity of graveyards and cremation grounds, demarcation of vacant lands in villages for planned use, cancellation of illegal or irregular leases of vacant lands and integration of villages which constitute hamlets but have a sizeable population, are some of the items of work which the Collector has to perform. The successful working of the *Bhudan Yagna Scheme* as well as work in respect of payment of Zamindari Abolition Compensation and Rehabilitation Grant was also entrusted to him as part of duties relating to land reforms. Another measure which was introduced shortly after independence is that of consolidation of holdings. The Collector is very closely associated with this work and has to supervise the work of the officers appointed for this purpose, in addition to hearing appeals under the Consolidation of Holdings Act.

12.4.15. *Relief in Agricultural Calamities*: Scarcity owing to paucity of rain as well as floods resulting from an excess of rainfall are a recurring feature in districts. Sometimes emergencies in the form of flooding of inhabited areas arise when the entire resources of the district have to be concentrated on providing relief and arranging succour. Later on, loans and subsidies are granted to rehabilitate the affected population. Other measures of relief are also taken. When drought is acute and scarcity conditions develop the measures provided in the Famine Code are put into operation and it is Collector's responsibility to ensure that as much relief is provided as possible. Even under normal conditions distribution of loans for agricultural purposes (*taqavi*) and their recovery is the duty of the Collector.

12.4.16. *Excise and other levies*: Administration and collection of excise duty is also conducted by the Collector. He sees to it that excise shops are auctioned properly, that the licencees observe rules in the matter of sale as well as observance of sale hours and further that preventive action to check illicit sale or distribution is undertaken. The Collector has also to collect other dues which have been certified realisable as arrears of land revenue. He is responsible for the enforcement of the Stamp Act and also of the Entertainment and Betting Tax Act and Rules.

12.4.17. *Tours*: Each year the Collector is expected to tour for about 90 days in his district, and specially in each Tahsil during the rainy season, to look into the conditions of the peasantry, settle disputes and see to the implementation of development schemes. Sub-divisional Magistrates are expected to tour for a period of about 60 days. In the course of his tour, which in the period before World

War II was done mostly on horseback with halts in tents, the Collector is supposed to get closely in touch with the people, hear their grievances and try to redress them. He has to check the position of collections, inspect land records by sampling areas where he halts or through which he passes and see that the record of rights is maintained properly, investigate into and examine the agricultural conditions obtaining in these areas and fluctuations that are noticeable, inspect the working of land management committees, ensure proceedings for the ejection of trespassers into common or government land, maintain the inviolability of graveyards and cremation grounds, advise land management committees on the planned use of common lands, go into the law and order situation in the interior of the district, assist the development of small scale and cottage industries and better animal husbandry, inspect Panchayats and co-operative societies and their establishments, excise shops, fireworks shops and manufactories, poison shops, cane weighment stations for sugar factories, arms shops and stamp vendors' accounts, the work of honorary Courts and perform numerous other duties.

12.4.18. *Local Bodies*: The Collector has certain powers in respect of Municipal Boards. Resolutions for no-confidence against a Chairman are referred to him and he arranges the fixation of a date for the meeting and appoints an officer to conduct the proceedings. Certain other matters relating to sanction of funds have to be processed through him. His supervision over Notified Areas and Town Areas is more extensive and when any of these bodies is superseded, the Collector usually works as Administrator. The Panchayati Raj institutions functioning in the rural areas are the Zila Parishad, Kshettra Samitis, Gaon Sabhas and Gram Panchayats. While he has not been entrusted with any regular duties in regard to these institutions, he has power to call for accounts, report or statements from the Parishad or to inspect its property, to call meetings for discussions with the *Adhyaksha*, the *Mukhya Adhikari* and *Vitta Adhikari* matters relating to expenditure on planning and development. He may also in case of emergency take over the powers of the Parishad or Samiti for executing a work or prohibiting the execution of one as the circumstances may require. These powers can be delegated by him to the Sub-Divisional Officer in the case of Kshettra Samitis.

12.4.19. *Civil Supplies*: The District Officer assisted by the District Supply Officer/Town Rationing Officer, ensures that the necessary action in respect of distribution of commodities, which are under informal or statutory control, is taken and rationing of food-grains, etc., when required, is implemented. These officers also enforce the provisions of the U.P. (Temporary) Control of Rent and Eviction Act, 1947, except where whole-time Rent Control and Eviction Officers are posted for the purpose.

12.4.20. *Planning and Development*: A significant addition to the functions of the Collector in his capacity as District Officer was work relating to planning and development activities. Rural and

Agricultural Development Programmes were initiated in the form of Community Development Projects on October 2, 1952. For coordination at the District and Block levels no separate machinery was created and the programme was integrated with the district administrative set up and the Collector's special position was utilised for the furtherance of the plans. The Collector thus became responsible for the co-ordination of the programme at the district level and became a line officer in the hierarchy. As a control measure and in order that the Collector gets effective co-operation from the various departments engaged in economic and social development of the State, an elaborate system of reporting on the performance at Regional and District levels was introduced in 1958 and the Collectors, as also the Commissioners of Divisions, were associated with it. Subsequently, as indicated earlier, with the enactment of the U.P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961, the Kshettra Samitis and Zila Parishads were also made responsible for planning and development work at their levels and the responsibility of the Collector in this field was considerably reduced although he watches over the co-ordination of the programme between the various agencies under the Parishad and the Samitis. The Collector is associated with the planning programme relating to various departments at the district level and as a result of this association he also exercises a certain degree of administrative control in the form of periodic evaluation of the work of the officers of those departments working in a district. As mentioned earlier in chapter 8.5 on Panchayati Raj Department, the District Planning Officer is under dual control of the Collector as also of the Adhyaksh of Zila Parishad. The District Planning Officer reports on the performance of the District Medical Officer of Health, Deputy Inspector of Schools, District Panchayati Raj Officer, Assistant Engineer and Senior Mechanical Inspector (Minor Irrigation), District Livestock Officer, District Agriculture Officer and Assistant Registrar, Cooperative Societies, exercising jurisdiction in the district or the District Cooperative Officer, (who are all *ex-officio* officers of the Zila Parishad also), through the Adhyaksh, to the Collector for evaluation of their work in the district. Similarly, the Collector also reports to the Commissioner of Division on other district level officers viz., Civil Surgeon, District Inspector of Schools, Divisional Forest Officer exercising jurisdiction in the district, District Industries Officer, District Harijan Welfare Officer and District Statistics Officer and while doing so he also obtains the opinion of the Adhyaksh, Zila Parishad with regard to the assistance rendered and advice given by these officers to the Zila Parishad in the implementation of the district plan. There are other district level officers also belonging to the Agricultural Engineering, Prantiya Rakshak Dal, Social Welfare, Cane Development, Fisheries and Community Development Departments, as also of the Information Department, wherever they exist after the departmental schemes were taken over by Deputy Collectors on the district strengths, and in all these cases too, the Collector reports on their work to the head of department concerned through the Commissioner of Division.

12.4.21. *Elections*: With the advent of democracy, periodical elections to the houses of Legislature, local bodies, etc., are a permanent feature and a regular organization has now to be maintained which is greatly enlarged when elections are held. Revision of electoral rolls is undertaken during the interim period and a year or so before the elections are scheduled, machinery is geared up and equipment renovated, polling stations fixed, and arrangements for the staff planned.

12.4.22. *Miscellaneous*: In addition to these multifarious duties he has a host of miscellaneous functions to perform. Most of the work relating to relief and rehabilitation of displaced persons from Pakistan and other countries has now been transferred to the direct control of the Government of India, but matters concerning relief, payment of maintenance allowances, setting up of buildings or their disposal are still undertaken by the Collector. He is also the Additional Settlement Commissioner for purpose of disposal of property and buildings and settlement of claims. He works also as Deputy Custodian of Evacuee Property. Each district has a Soldiers', Sailors', and Airmen's Board with the District Officer as *ex-officio* President, which looks after the welfare of ex-servicemen. In addition to these, there are numerous other local institutions of which the Collector is President such as the district co-operative institutions, hospitals, schools, etc. There are also a large number of committees of which too, he is Chairman. The issue of Political Sufferer's Certificates to deserving and genuine fighters of freedom, administration of the Gold Control Rules, payment of compensation under the Workmen's Compensation Act in case of accidents, strikes and other labour problems, infringement of Trade Mark Act, extension of visas, recovery of repatriation charges, enforcement of Cinematograph Act and Rules, issue of certificates about domicile, where required, and in respect of scheduled castes and backward classes, enquiries about character verification, are also some of his duties. The Collector also acts as the Chief Protocol Officer in the district and makes arrangements for the visits of Ministers, dignitaries and other V.I.Ps.

12.4.23. As chief representative of the Government in the district, the Collector has to keep a watch on the interests of the Government. He manages estates owned by Government and *Nazul* lands, supervises the conduct of civil suits in which the State is a party and attends to various matters relating to the District Government Counsel and panel lawyers, countersigns grants-in-aid bills of various institutions after making suitable enquiries, conducts enquiries with regard to the grant of financial aid or technical education loans to students, presides over numerous committees of local institutions and organizations and also acts as member of various Divisional Committees.

## 12.5. TAHSIL AND VILLAGE ADMINISTRATION

12.5.1. A district is divided for purposes of realisation and collection of land revenue into a number of Tahsils. Under Section 8(1) of the Code of Criminal Procedure, 1898, and Section 11(2) of the U.P. Land Revenue Act, 1901, the district is also divided into a number of Sub-Divisions. Each Sub-Division, by and large, corresponds to a Tahsil, but there are Sub-Divisions which cover part of the city portion of Tahsil for criminal work only and the remaining rural portion both for criminal and revenue works; in some districts are two full Sub-Divisions for a single Tahsil and there are also Sub-Divisions which cover two Tahsils. There is a total of 231 Tahsils in the State against which there are 209 full Sub-Divisions and 19 City Sub-Divisions. The chief officer of the Sub-Division is the Sub-Divisional Officer, who is both Sub-Divisional Magistrate of the First Class as also Assistant Collector, First Class, except that the officer-in-charge of the City Sub-Division exercises only the magisterial powers. These officers have their headquarters normally at the district towns but in the cases of the following sub-divisions, because of the importance of the sub-division or that of its headquarters or the latter's remoteness from the district town, they are posted in the sub-divisions, which gives them a better hold on the law and order position of their sub-divisions and provides for convenience to members of the public who may have anything to do with them:

<i>District</i>	<i>Tahsil (or Sub-Division)</i>	<i>Headquarters of the Sub-Divisional Officer</i>
Dehra Dun	Chakrata	Chakrata
Saharanpur	Roorkee	Roorkee
	"	Hardwar (Resident Magistrate)
Meerut	Ghaziabad	Ghaziabad
Agra	Firozabad	Firozabad
Jhansi	Lalitpur	Lalitpur
Hamirpur	Mahoba	Mahoba
Banda	Karwi	Karwi
Varanasi	Chakia	Chakia
	Bhadohi	Gyanpur
Mirzapur	Robertsganj	Robertsganj
Deoria	Hata	Kasia
	Padrauna	Kasia
Gonda	Balrampur	Balrampur
Naini Tal	Kashipur	Kashipur
	Tarai Sub-Division	Haldwani
	Bhabhar Sub-Division	(Temporary. Proposed to be shifted to Rudrapur later) Haldwani



<i>District</i>	<i>Tahsil (or Sub-Division)</i>	<i>Headquarters of the Sub-Divisional Officer</i>
Almora	Ranikhet	Ranikhet
Pithoragarh	Dharchula	Dharchula
	Munsiari	Munsiari
	Didihat	Didihat
Garhwal (Pauri)	Lansdowne	Lansdowne
Tehri Garhwal	Tehri and	Tehri
(Narendra Nagar)	Pratap Nagar	
	Devaprayag	Kirtinagar
Chamoli	Joshimath	Joshimath
	Karnaprayag	Karnaprayag
	Ukhimath	Ukhimath
Uttarkashi	Purola and	Purola
	Raj Garhi	

A sub-jail usually exists at most of these sub-divisional headquarters.

12.5.2. The duties and functions of the Sub-Divisional Officer are similar to those of the Collector, though of lesser degree and confined to the Sub-Division. Apart from his law and order duties and the case work which generally consists of a 'mixed bag of revenue and criminal cases', as indicated earlier, he shares with the Collector, but subject to the latter's control, responsibility for the regulatory functions of correct maintenance of maps and records of his Sub-Division and assessment and collection of land revenue, which he has to discharge by making inspections of the supervision exercised by Tahsildar and Naib-Tahsildars over the work done by Supervisor Kanoongos, Amins and Lekhpals, during his tours. In the course of his inspections, he pays particular attention to conditional revenue-free grants of land, encroachments on property of the State or Union Government and encroachment or damage to Gaon Samaj property, condition of boundary and survey marks, fluctuations in agricultural prosperity, etc. Entries of changes in land revenue or rent or about transactions affecting the rights or interests of tenure-holders, numbering and recording of alluvial land added to a village and modification of entries regarding diluvian in revenue records are made under his orders, most often while he is on tour. Appointment and transfer of lekhpals are made by him and the responsibility for their disciplined working rests on him. Inspection of the office of Registrar Kanoongo in the Tahsil is an annual feature, in which special attention is paid to mutations in land records (*dakhil kharij*), timely and correct preparation of statistical returns regarding crop and area, holdings, land revenue and rentals, crop failures and remissions of land revenue or rent, etc. The importance of mutation lies in the statutory obligation of the Collector to keep the land records correct and up to date. These are maintained by Lekhpals, and amongst the records which a Lekhpal maintains, two are basic. These are the index of plots in the village in his jurisdiction, the particulars of



tenure holders holding these plots or in possession of them, the crops sown in each of the three seasons in the year, the source of irrigation and the area sown together with the total area of the plots, known as *Khasra*. The other register is the register of record of rights, known as *Khatauni*, which gives particulars of tenure holders, the plots held by them and the land revenue payable by them. In this way the entire area of the State is covered by entries in basic records. These records are also utilized for the purpose of agricultural statistics, crop forecasts and determination of rights and title of tenure holders. His revenue case work includes cases, such as enhancement, abatement or commutation in rent, rightful ownership of a disputed land, ejectment for illegal subletting and other matters relating to various tenancy and land records laws. As Sub-Divisional Magistrates, they have also to be receptive to genuine grievances of the people in their sub-divisions and personally investigate complaints of corruption, harassment and malpractices on the part of subordinate functionaries of the revenue and police departments.

12.5.3. The local officer in immediate charge of a Tahsil is the Tahsildar who is an officer with gazetted status and is subordinate to the Sub-Divisional Officer. Formerly, he had only Second Class Magisterial powers, but he is now a Magistrate of the First Class,<sup>38</sup> in addition to being an Assistant Collector, First Class, and presides at his tahsil office and court. He is assisted in his work by a few deputies, called Naib Tahsildars, who are non-gazetted officers, but, besides being Assistant Collector, Second Class since long, they have now also the powers of Magistrate, Second Class, as well. As in the case of the District Officer and the Sub-Divisional Officer, a Tahsildar too has a long list of duties, chief of which are:

- (1) Supervision over the timely collection of land revenue and other dues.
- (2) Supervision over the maintenance of land records and agricultural statistics.
- (3) Maintenance of law and order and to try cases—both revenue and criminal.
- (4) General assistance to the District Officer and the Sub-Divisional Officer in exercise of their functions.
- (5) Assisting generally all the departments of the State and the Central Governments whenever required to do so.

Each Tahsil has a Sub-Treasury with the Tahsildar as Sub-Treasury Officer. In his absence, one of the Naib Tahsildars holds charge of the Sub-Treasury.

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38. Till February 6, 1968, he was Magistrate, Second Class. He still exercises second class magisterial powers for his normal criminal case work. First Class powers are exercisable by him only when required for law and order purposes. Naib Tahsildars were without any magisterial power till February 6, 1968. Likewise, they now exercise the magisterial power only for law and order purposes. See also foot-note no. 36.

12.5.4. Preparation and maintenance of land records and collection of land revenue and other governmental dues in full and without coercion are the most important assignments and these receive corresponding attention from the Tahsildar and his staff. The greater part of the revenues and dues come in, no doubt, without difficulty, but in difficult cases sometimes coercive processes, permitted under the law, have to be used. Tahsildars and Naib-Tahsildars, therefore, remain in constant touch with the subordinate revenue field officials like Supervisor Kanoongos,—three or four for each Tahsil, and Lekhpals,—one for every five or six villages,<sup>39</sup> and supervise their land records work locally as also make a note about the condition of crops, difficulties of cultivators, if any, and their capacity to pay land revenue. In urgent situations, Tahsildar recommends remissions and suspension of revenue, arranges relief at times of natural calamities on the spot and distributes *tagavi* loan in cash or kind to distressed cultivators. He sits in court to settle disputes regarding tenancy, arrears of rent, ejectment of tenants, encroachment on Gaon Sabha property, entries in Lekhpal's books, etc., to the extent of his powers. As a Magistrate he has all the powers of that office in law and order matters, like administering criminal law on the preventive side such as preventing breach of peace during festivals and authorising the police to disperse unlawful assemblies, but occasions to exercise them are rare. It is true that the general responsibility for law and order in his area does not lie with him but with the Sub-Divisional Magistrate, more so when the latter resides at the Tahsil headquarters, but all the same, the Tahsildar's magisterial powers are a help to him in his duties in many ways. As a man on the spot, and an influential one, his advice is usually sought in law and order matters. By means of his influence he can often control difficult situations in outlying areas without resort to force or to formal legal proceedings. He gets, as an established practice, cooperation of the field officials of other departments in the discharge of his functions.

12.5.5. Though a Tahsildar is mainly a Revenue officer, because of historical reasons stemming from the days of the East India Company and because he is the Collector's subordinate, he is called upon to perform, as a duty to his Collector, a large number of duties which far outweigh in volume his revenue work. In big towns he has to meet and look after all important visitors,—official and non-official; he has to submit a large number of reports on every conceivable subject; he has to hear the grievances of, and generally keep in touch with, the people in his Tahsil. Floods and other calamities, big cases of land acquisition, watch on the maintenance of stocks of supplies, etc., are some other matters which occasionally cast a heavy burden on him. He is also required to help in development work.

12.5.6. The Tahsil office consists of a *Moharrir Mal*<sup>40</sup> for gener-

39. A 'village' is the primary territorial unit of revenue administration meaning a definite area of culturable land irrespective of any inhabited site or sites.

40. 'Mal' is Urdu synonym for 'Revenue'. Hindi synonym is '*Rajasva*'.

ral correspondence work, a *Judicial Muharrir* and *Ahalmad* for the Tahsil's court work, an *Assistant Nazir* for keeping office accounts and looking to other house-keeping functions; a Sub-Treasury Accountant for Treasury work along with a Cashier known as Tahvildar who is an agent of the Sadar Treasurer; and Revenue Accountants (*Wasil Baqi Navis*), who are counterparts of Chief Revenue Accountant in the Collectorate, and Assistant Revenue Accountants for keeping accounts of collections. There are a number of *Amins* for actual collection of land revenue and other dues, as also *Kurk Amins*<sup>41</sup> for government dues as are to be realised as arrears of land revenue through coercive processes along with *Amins* for other works. The Registrar Kanoongo, assisted by a few Assistant Registrar Kanoongos attends to land records work at the Tahsil headquarters. There is an establishment of peons for the service of processes and for carrying out general administrative duties.

12.5.7. Before the abolition of *zamindari*, land revenue was collected from a few well-to-do land owners, about two lakhs in all,—all others were paying rent to those land owners. In 1952, as mentioned in detail in chapter 7.1 on Revenue Department, the rights of intermediaries were abolished and as a result, new tenures were created which are known as '*Bhumidhari*', '*Sirdari*' and '*Asami*'. *Bhumidhars* have transferable rights subject to certain restrictions on the tenure and on transfer. *Sirdars* are hereditary but cannot transfer.<sup>42</sup> *Asamis* are sub-tenure holders. After abolition of *zamindari*, land revenue has to be collected from about two crores of peasant proprietors. For collection purposes a Tahsil is divided into circles, each under an Amin and there are fixed targets which have to be achieved. The field work of *Amins* is supervised by Naib Tahsildars. The process in short is that the Lekhpal prepares a *Jamabandi*<sup>43</sup> which consists of an extract from the *Khatauni* and contains the name of the tenant or tenure-holder and the amount he has to pay. The entries are checked carefully by the Naib Tahsildar with the help of the Supervisor Kanoongo and in parts by the Tahsildar and the Sub-Divisional Officer. Copies of the *Jamabandi* are supplied to the *Amins* and to the *Guon Sabha* for general information of the tenure holders and for help in the collections. *Amins* collect the revenue, bring the collections to the Tahsil once a week, and after the accounts are checked properly by the Revenue Accountant and his assistants, deposit the money in the Sub-Treasury.

12.5.8. The Registrar Kanoongo, who remains at the Tahsil office, is entrusted with supervision and compilation of land records

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41. *Amin* is an official deputed for special local work. *Kurk Amin* sells distressed crops, etc., and realises money by coercive means; a *Partition Amin* carries out a partition of property decided under the law, etc.

42. It was arranged through U.P. Zamindari Abolition and Land Reforms (Amendment) Ordinance, 1969, that with effect from June 6, 1969, any *Sirdar* desiring to have *Bhumidhari* rights, could have them by depositing with the Government an amount equivalent to twenty times the annual rent.

43. Lekhpal's record of Demand and Collection Accounts.

and all the work connected with these. His work is periodically checked by the Sadar Kanoongo and inspected by the Naib Tahsildar, Tahsildar and Sub-Divisional Officer. His duties mainly are the maintenance of accounts of Lekhpals' pay and allowances, correction of records in mutation cases, testing of Lekhpals' records, compilation of crop statistics, maintenance of lists of villages, list of lands and groves exempted from the payment of land revenue, maintenance of register of property of the State Government as also of property under management of the State Government, register of calamities, inventory of survey instruments, village maps, etc., as also maintenance of a list of all pensioners residing in the Tahsil. The Registrar Kanoongo also compiles area crop statistics based on the land records.

12.5.9. At infra level of the Tahsil are parganas<sup>44</sup> and the field officials of the Revenue Department working there are Supervisor Kanoongos and the Lekhpals,—the latter are known with this name with effect from March 7, 1953; formerly they were known as *Patwari*.<sup>45</sup> A Supervisor Kanoongo, who is also known in local dialect as

44. See foot-note no. 20 in Chapter 12.3.

45. W.H. Moreland, I.C.S., gave some interesting accounts about Kanoongos and Patwaris in his book, 'The Revenue Administration of the United Provinces' (1911), pp. 74-81.

For Kanoongos, he said that "their origin appears to be unknown, but under the Mughal empire they are found discharging dignified and responsible functions as registrars of deeds and recorders of statistics regarding the revenue. As a rule, one Kanungo appears to have been appointed for each pargana: the office was usually hereditary and was remunerated by the grant of the revenue of certain villages. The office seems to have survived the period of disorganisation better than other sections of the Mughal bureaucracy....". According to him, their position 'deteriorated greatly during the first half of the nineteenth century: they were of course servants of the state, but there was nothing particular for them to do,....' Further, "when the organisation of the records was taken in hand, it was recognised that the Kanungos were the right officers to supervise the patwaris, and one of the first duties of the Director was to sort them out so as to get the best value from the existing materials. Those who were practically illiterate, incompetent, and too old to learn were displaced—by their heirs if they could produce any; the rest were passed in batches through training classes and were divided into two groups—the elderly and less active men were put in the tahsils to take charge of the necessary office work, while the young and active were given circles of superintendence and made responsible for the work of the patwaris within their circle, and the best man in the district was sent to headquarters to assist the Collector in the detailed work of the department. In this way originated the distinction between Registrar, supervisor and sadar Kanungos, which has gradually been made more exact, until the Registrar is now mainly a statistical and record clerk, the supervisor is a responsible executive officer, and the sadar Kanungo is the Collector's staff officer for the record work of the whole district." The hereditary system had also died out gradually and in 1896, it was the policy of the Government "to fill these posts with young and active men and make them stepping-stones to higher appointments." "The Registrar Kanungos and their assistants were put on the same basis as the other vernacular posts under the Collector...., the appointments of supervisor Kanungos were reserved in the first instance for diplomates of the Agricultural School (now the Agricultural College) at Cawnpore,...."

Recruitment of Supervisor Kanoongos is now made by promotion from

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*Girdawar* Kanoongo, is in charge of one or more parganas and his duties are confined mostly to supervision of the land records work of 20 to 30 Lekhpals in his Circle and testing their records and statistics, supervision over village maps, detection of agricultural deterioration, helping in local enquiries, attestation of documents under tenancy laws and disposal of undisputed cases of succession. The value of Lekhpals' work depends very largely on the quality of supervision exercised over him by the Kanoongo. The work of a Supervisor Kanoongo is mostly controlled under the directions issued by the Director of Land Records. In addition, he also performs extraneous duties, which often become quite heavy. Some of them are arrangements in connection with field firing practices and manoeuvres, inspection of sites in connection with land acquisition, preliminary inquiries in cases relating to public nuisances, publicity and propaganda work on behalf of the Government, inquiries regarding *taqavi* loans and about financial position on application for advance of seeds, implements, etc., preparation of compensation statements of acquisition of land for service roads, tube-wells, canals, railways, etc., preparation of electo-

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amongst Lekhpals, Consolidators of Consolidation Department and Survey Amins, as also to a certain extent by direct recruitment. On selection, they receive training at the Survey and Land Records Training School (formerly known as Kanoongo Training School) at Hardoi. Appointment to the post of Sadar Kanoongo is made by promotion from amongst Supervisor Kanoongos and to a limited extent from Registrar Kanoongos. The latter posts are filled by promotion of Assistant Registrar Kanoongos, who are promoted Lekhpals.

About Patwari, W.H. Moreland said that there were no authorities to show how far back the history of that post extended, but the Patwari and his village accounts were established institutions as far back as the end of the thirteenth century. According to him, "the tendency of Indian village-life towards specialization of function appears to be of very early growth, and probably the villagers always felt the need of some one to keep their accounts—precisely the position in which we first see the patwari. Akbar does not seem to have interfered with them (as the *Ain-i-Akbari* says very little about them), and at the commencement of British rule they were independent of the Government and absolutely the servants of the villages. They were not, as a rule, whole-time employees, nor did they in many cases receive a living wage. They were paid small sums in cash and received occasional perquisites, did the work of one or more villages, and cultivated land or found other means of subsistence in their spare time: their work consisted mainly in keeping accounts." The British Government too turned to the indigenous agency of Patwaris for necessary local information when their efforts in survey and settlement operations broke down in 1830, and gradually "they came to be regarded as available for local administrative business, and, to a certain extent, as public servants." In 1860, villages were grouped into circles of sufficient size with one patwari for each circle, and he had "to collect his own income from various land holders of his circle and this he was frequently unable to do since the circle organisation had made him (comparatively speaking) a stranger in some of the villages with which he had become connected. Soon a regular class of cases grew up in the tahsildars' courts, consisting of petitions from patwaris that they could not get their pay....". The Revenue Act of 1873, later imposed a cess on all land holders for the payment of patwaris and other expenditure on records. "The Act also marked the change that had gradually taken place in the patwaris' position, by declaring them to be public servants and their records to be public property." He was thus made a Government servant, paid by the State and doing the State's work.



ral rolls, inquiries and active work in connection with flood, drought, outbreak of fire, locust, hail, rust and frost, etc., and preparation of relief statements and compensation account of the same; preparation of list of persons entitled to gratuitous relief in connection with famine and scarcity; distribution of grass, and wood, rations, etc., in cases of calamities, preparation of indents for supplies from Government forest and making arrangements for ration, boats, etc., census of human cattle, wages and agricultural implements; periodical verification of sale-deeds to obtain figures for fixing multiples for calculating the valuation of property in auction sales as also for use in land acquisition cases; assistance to the Agriculture Department in crop cutting experiments; collection of information relating to the economic condition in his Circle, looking after the *nazul* land, collecting and furnishing any other information required by the Collector, etc. When a Tahsil is under consolidation operations, the Kanoongo is transferred to the Consolidation establishment. He also works at survey operations, and practically for all items of work connected with revenue administration. It will thus be seen that a Supervisor Kanoongo constitutes an important and vital link in the chain of revenue administration and supplies most of the basic material needed for day to day district administration.

12.5.10. The Lekhpal is the last link in the above chain. The initial and spade work in respect of all the items enumerated in the earlier description is done by him. His residence in his Circle or *halka* is necessary, unless he is exempted; for, he has to keep a watch on various types of happenings and activities in the villages under his charge. He conducts each year three physical surveys of the area and records the particulars of crops sown in each season in addition to keeping his land records up-to-date, either by making corrections, which he may be empowered to do, or by initiating proceedings for them. His work, most of which has already been accounted for earlier, is mostly in his *halka*, where it is taken note of, supervised and tested by the Supervisor Kanoongo and other officers when on inspection, and he is required to attend the Tahsil only on a fixed date in each month (unless the operation of this requirement is suspended) when he has to report to the Registrar Kanoongo in respect of each and every item of work on the latter's list and attend to other work. He is Secretary of the Land Management Committees of his *halka* and in this capacity he works under the directions of the Chairmen in matters relating to such committees.

12.5.11. The Lekhpal has also to work for various other departments. He has to help the Irrigation Department at the time of measurement in villages by *Canal Amin* for irrigation rates and charges and in the finalisation of *Osrabandi*;<sup>46</sup> assist the Public Health Department in the preventive and curative measures whenever there is any epidemic in his *halka*; he has to report to the representative

46. For particulars about *Osrabandi*, see foot note no. 6 under Chapter 8.2 on Department for Agricultural Production and Rural Development and Community Development Department.



of Animal Husbandry Department whenever there is any outbreak of cattle or horse diseases; to report to a Magistrate or to an officer of the Excise Department or to Police the moment he notices that any excisable article not licensed under the Excise Act is manufactured or any unlawful cultivation of any such drug is carried out. Apart from the great help which he gives in the preparation of electoral rolls, he has also to be present at the time of elections at polling stations to identify voters, when necessary. Whenever required, he also gives the co-operative societies such information, as is in his possession, for the benefit of the societies. He helps the Agriculture Department in the distribution of seed to cultivators and also in other numerous ways. His assistance is quite often sought by the Police in investigating criminal cases in the villages. Because of the multifarious duties which he has to perform, it is necessary that he should be properly trained to shoulder his responsibilities. Lekhpal Training Schools exist at numerous places where pre-entry training is arranged for Lekhpal candidates. Each School is under the control of the Collector of the district in which it is located. One of the Deputy Collectors acts as Officer-in-charge of the School. Along with rules and regulations, trainees are also given instructions in practical surveying and map work.

12.5.12. The introduction of community projects has increased the burden on the village officials specially the Lekhpal. Such other officials are the *Canal Amin* and *Patrol*, Village Level Workers of Community Development Department, officials belonging to the Animal Husbandry, Cane Development and Co-operative Departments, Prantiya Rakshak Dal, etc. A Panchayat Secretary is another functionary who works at the village level, though for larger groups of villages.

# APPENDIX

(See paragraph 12.1.6)

<i>District</i>	<i>Tahsil</i>	<i>District</i>	<i>Tahsil</i>
<b>I. Meerut Division</b>		5. Karhal	
1. Dehra Dun	1. Dehra Dun 2. Chakrata	5 Etah	1. Etah 2. Aliganj 3. Jalesar 4. Kasganj
2. Saharanpur	1. Saharanpur 2. Roorkee 3. Nakur 4. Deoband	<b>III. Rohilkhand Division</b> (Headquarters at Bareilly)	
3. Muzaffarnagar	1. Muzaffarnagar 2. Kairana 3. Jansath 4. Budhana	1. Bareilly	1. Bareilly 2. Nawabganj 3. Baheri 4. Faridpur 5. Aonla
4. Meerut	1. Meerut 2. Ghaziabad 3. Baghpat 4. Hapur 5. Sardhana 6. Mawana	2. Bijnor	1. Bijnor 2. Nagina 3. Dhampur 4. Najibabad
5. Bulandshahr	1. Bulandshahr 2. Khurja 4. Anupshahr 4. Sikandrabad	3. Budaun	1. Budaun 2. Bisauli 3. Sahaswan 4. Dataganj 5. Gunnaur
<b>II. Agra Division</b>		4. Moradabad	1. Moradabad 2. Bilari 3. Sambhal 4. Thakurdwara 5. Amroha 6. Hasanpur
1. Aligarh	1. Koil (Aligarh) 2. Iglas 3. Sikandra Rao 4. Hathras 5. Atrauli 6. Khair	5. Shahjahanpur	1. Shahjahanpur 2. Powayan 3. Jalalabad 4. Tilhar
2. Mathura	1. Mathura 2. Mat 3. Chhata 4. Sadabad	6. Pilibhit	1. Pilibhit 2. Puranpur 3. Bisalpur
3. Agra	1. Agra 2. Kiraoli 3. Kheragarh 4. Firozabad 5. Etmadpur 6. Bah 7. Fatehabad	7. Rampur	1. Rampur 2. Shahabad 3. Millak 4. Bilaspur 5. Suar
4. Mainpuri	1. Mainpuri 2. Shikohabad 3. Jasrana 4. Bhongaon	<b>IV. Allahabad Division</b>	
		1. Farrukhabad	1. Farrukhabad

<i>District</i>	<i>Tahsil</i>	<i>District</i>	<i>Tahsil</i>
	2. Kannauj 3. Kaimganj 4. Chhibramau		4. Chakia
2. Etawah	1. Etawah 2. Auraiya 3. Bidhuna 4. Bharthana	2. Mirzapur	1. Mirzapur 2. Chunar 3. Robertsganj 4. Dudhi
3. Kanpur	1. Kanpur 2. Bilhaur 3. Ghatampur 4. Akbarpur 5. Derapur 6. Bhognipur	3. Jaunpur	1. Jaunpur 2. Shahganj 3. Mariahu 4. Kerakat 5. Machhlishahr
4. Fatehpur	1. Fatehpur 2. Bindki 3. Khaga	4. Ghazipur	1. Ghazipur 2. Saidpur 3. Muhammadabad 4. Zamania
5. Allahabad	1. Chail (Allahabad) 2. Meja 3. Karchana 4. Phulpur 5. Sirathu 6. Handia 7. Manjhanpur 8. Soraon	5. Ballia	1. Ballia 2. Rasra 3. Bansdih
<b>V. Jhansi Division</b>		<b>VII. Gorakhpur Division</b>	
1. Jhansi	1. Jhansi 2. Mahroni 3. Mauranipur 4. Garautha 5. Moth 6. Lalitpur	1. Gorakhpur	1. Gorakhpur 2. Bansaon 3. Pharenda 4. Maharajganj
2. Jalaun	1. Jalaun 2. Orai 3. Kalpi 4. Konch	2. Basti	1. Basti 2. Bansi 3. Harraiya 4. Domariaganj 5. Khalilabad 6. Naugarh
3. Hamirpur	1. Hamirpur 2. Maudaha 3. Mahoba 4. Rath 5. Charkhari	3. Azamgarh	1. Azamgarh 2. Sagri 3. Ghosi 4. Phulpur 5. Lalganj 6. Mohammadabad
4. Banda	1. Banda 2. Karwi 3. Mau 4. Naraini 5. Baberu	4. Deoria	1. Deoria 2. Hata (Kasia) 3. Salempur 4. Padrauna (Kasia)
<b>VI. Varanasi Division</b>		<b>VIII. Lucknow Division</b>	
1. Varanasi	1. Varanasi 2. Chandauli 3. Bhadohi (Gyanpur)	1. Lucknow	1. Lucknow 2. Mohanlalganj 3. Malihabad
		2. Unnao	1. Unnao 2. Purwa 3. Safipur 4. Hasanganj

<i>District</i>	<i>Tahsil</i>	<i>District</i>	<i>Tahsil</i>
3. Rae Bareli	1. Rae Bareli 2. Maharajganj 3. Dalmau 4. Salon	3. Haidargarh 4. Ramsanehi Ghat	
4. Sitapur	1. Sitapur 2. Biswan 3. Misrikh 4. Sidhauhi	X. Kumaun Division (Headquarters at Naini Tal)	
5. Hardoi	1. Hardoi 2. Shahabad 3. Sandila 4. Bilgram	1. Naini Tal	1. Naini Tal 2. Bhabhar (Haldwanl) 3. Kashipur 4. Kichha
6. Kheri (Lakhimpur)	1. Lakhimpur 2. Nighasan 3. Mohamdi	2. Almora	1. Almora 2. Champawat 3. Rani Khet
IX. Faizabad Division		3. Pithoragarh	1. Pithoragarh 2. Munsiri 3. Dharchula 4. Didihat
1. Faizabad	1. Faizabad 2. Akbarpur 3. Bikapur 4. Tanda	XI. Garhwal Division <sup>47</sup> (Headquarters at Pauri)	
2. Gonda	1. Gonda 2. Utraula 3. Tarabganj 4. Balrampur	1. Garhwal (Pauri)	1. Lansdowne 2. Pauri
3. Bahraich	1. Bahraich 2. Kaisarganj 3. Nanpara	2. Tehri Garhwal (Narendra Nagar)	1. Tehri 2. Pratap Nagar (Tehri) 3. Deva Prayag (Kirtinagar)
4. Sultanpur	1. Sultanpur 2. Amethi 3. Kadipur 4. Musafirkhana	3. Chamoli	1. Chamoli 2. Joshimath 3. Ukhi Math 4. Karna Prayag
5. Pratapgarh	1. Pratapgarh 2. Patti 3. Kunda	4. Uttar Kashi	1. Dunda 2. Rajgarhi 3. Puraula 4. Bhatwari
6. Bara Banki	1. Nawabganj 2. Fatehpur	54	231

47. Garhwal Division with these districts was constituted with effect from December 20, 1968 after the former Uttara Khand Division, comprising the districts of Uttar Kashi, Chamoli and Pithoragarh, was abolished. The limits of the old Kumaun Division, comprising the districts of Naini Tal, Almora, Garhwal and Tehri-Garhwal, were also re-defined, as under item X above.

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## ERRATA

1. Page 4: Para. 1.1.9., read 'Rae' for 'Rao'.
2. Page 40: Para. 2.4.2., delete comma occurring in sixth line from the bottom.
3. Page 48: Delete 'Chief Investigator' and his 'Establishment' against Vigilance Department.
4. Page 49: Delete 'Also Inspector General of Police' after 'Director of Civil Defence, U.P., Lucknow.'
5. Page 55: After the words 'Director of Medical & Health Services', add 'and Family Planning'.
6. Page 57: Para. 3.1.2., line 8, for '1953' read '1963'.
7. Page 65: Sub-para. (4), Replace comma at the end of line 3 by a full-stop.
8. Page 70: Para. 3.2.5., Delete comma occurring in the first line.
9. Page 73: Insert comma after the word 'Act' in first line of foot note.
10. Page 90: Item (12) of para. 4.2.4., Read 'Indian' for 'India' in fifth line.
11. Page 112: Para. 5.1.4., in line 11, read '(i) Accounts' for '(a) Accounts'.
12. Page 145: Line 8, add full-stop after the word 'Police'. Item III, line 6, for 'Lock ups.', read 'Lock-up,'.
13. Page 147: Para. 6.1.19., line 7, put digit '4' over the word 'Constables' for foot-note.
14. Page 154: Para. 6.1.37., Item 3, put a full-stop at the end of the line.
15. Page 173: Para. 6.3.8., line six, for 'An', read 'an'.
16. Page 195: Line 11 from the bottom; for 'Assistant Collector, II Class', read 'Assistant Collector, I Class'.
17. Page 224: Para. 7.2.14., First line, for 'district Judges' read 'District Judges'.
18. Page 240: For Para. 7.4.9., read 7.4.29.
19. Page 348: In the heading on the page, correct the spellings of the words 'Regulations' and 'relating'.
20. Page 383: Second column, line 3, put full-stop after the word 'Ballia'.

Second column, line 13, insert comma between the words '(Export)' and 'Varanasi'.

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21. Page 384: Last column, lines 1-2, read 'Project Officer, Ranikhet'.
22. Page 401: In the heading on the page, correct the spelling of the word 'relating'.
23. Page 409: Line 4 from the bottom, add semi-colon after the words 'dal mills'.
24. Page 486: Para. 9.3.4., line 8, correct the spelling of the word 'obscene'.
25. Page 595: Para. 10.3.14., line 4, delete comma after 'U.P.'.
26. Page 629: Foot Note 32, line six, read 'Parishads' for 'Parishad'.
27. Page 669: Foot Note 4, last but one line, read 'Commissioner-Secretary' for 'Commission-Secretary.'
28. Page 720: Para. 12.4.4., line 18, read 'Officer-in-charge' for 'Office-in-charge' in the end of the line.



